DOCUMENT RESUME

ED 057 726 HE 002 696

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TITLE Legal Bases of Boards of Higher Education in Fifty States.
INSTITUTION Council of State Governments, Chicago, Ill.
PUB DATE Sep 71
NOTE 197p.
AVAILABLE FROM The Council of State Governments, 1313 East 60th Street, Chicago, Illinois 60637

EDRS PRICE MF-$0.65 HC-$6.58
DESCRIPTORS *Administrative Organization; *Boards of Education; *Educational Coordination; Governance; *Governing Boards; *Higher Education; Institutional Administration; Policy Formation

ABSTRACT

This report presents, in lay language, the essential provisions of the legislative acts or constitutional statements regarding the single central management, advisory, or coordinating boards in the 50 states. Specifically included are (1) the membership of the boards, and (2) the powers and duties of the boards. (HS)

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LEGAL BASES OF BOARDS OF HIGHER EDUCATION IN FIFTY STATES

by
Robert L. Williams
The University of Michigan

September, 1971

Studies for the Midwestern
Conference of the Council of State Governments
By the
Midwestern Advisory Committee
on Higher Education

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FOREWARD

The past several years the states have created coordinating councils or boards for higher education. These new commissions are to support other state expertise in the reviewing of problems of higher education. They are to supplement particularly on program the work done on academic programs by the legislative and executive staff experts.

In some states constitutional conventions have provided for this change in an attempt to deal with higher education and to solve its problems in an orderly manner.

As also was shown in the 1967 edition of this publication there is no standard legal provision applicable to the coordinating problem in each of the states. This report summarizes and quotes from the actual legislative enactments for the states constitutions in the states which provide such legal mechanisms for coordination.

For the Midwestern Conference of States of the Council of State Governments, we thank Mr. Robert Williams, Administrative Dean, University of Michigan for his excellent work.

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Author's Preface

In 1967 at the request of the Midwest Council of State Governments, I prepared a manuscript issued in monograph form entitled, "Legal Bases of Coordinating Boards of Higher Education in Thirty-Nine States."

This monograph was well received by the public and by 1970 the supply was exhausted. Again, at the request of the Midwest Council of State Governments, I prepared the attached document entitled, "Legal Bases of Boards of Higher Education in Fifty States."

The slight change in title between the 1967 issue and the current issue eliminates the word "coordinating." This was done to remove some possible confusions, since some boards of higher education are not coordinating boards, some are single boards of management, and other boards have advisory functions only.

It is extremely difficult to say that some boards are management boards, and other boards are advisory boards, since some of the boards are advisory in some areas and management boards in other areas, and coordinating boards in other areas. The summary chart beginning on page 1 may therefore be over-simplified. It does reflect the best overall judgment that could be brought, at this time, to describe the primary function of the board in each state. In general, however, it is reasonable to believe

that boards classified as advisory are not engaged in management or coordinating functions.

The report presents, in lay language, the essential provisions of the legislative acts or constitutional statements regarding the single central management, advisory, or coordinating boards in the fifty states.

There is a tremendously wide range of responsibility assigned to these agencies. As indicated above, in some states the board is advisory only. In other states, the decision of the board regarding programs, and allocations to institutions is binding unless modified by the legislature. In others, the decisions of the board must be approved by the State Board of Education, and in matters involving fees or capital outlay, by the state legislature as well.

There is wide variation in the membership of these boards. In some states, the board includes one member of the board of regents of the university, the state college system, and the junior college system. Others, even include presidents in the membership of the board.

It is clear that in some states the board was established to remove the institutions from political control or interference from the governor or other agencies.

There are a number of states which prohibit any employee of the state or educational institutions from serving as a member of the board.

Broad sweeping generalizations about the powers and duties

of these boards are not justified on the basis of the legislative and constitutional provisions. Actually, each state responded to the general question of control, management, or coordination of higher education in the manner that seemed best in the light of its own problems as seen by its legislators or members of the constitutional convention.

It should also be noted that wide divergence exists in the language and format of the reports about each state. This is due to the divergence in the language and format used by each state in describing its own board.

In order to insure the highest validity, appropriate agents of each of the states have been given a copy of the statement describing his board, and asked to approve it or make necessary corrections. All such corrections are included in this document and include information regarding organization and procedures up to July 1, 1971.

Robert L. Williams

July 1, 1971

Summary of Legal Provisions

It will be noted in the following table and in the longer descriptive statement about each of the states with some form of board of higher education that all points of interest are not listed or discussed for each state.

These omissions are based entirely on the fact that the legislative acts or constitutional provisions are silent on those points not described.

SUMMARY

CHARACTERISTICS OF BOARDS OF HIGHER EDUCATION IN FIFTY STATES AS DEFINED BY LAW,

July 1971

Coordinating Boards		Membership					Authority		Appropriations		Capital Outlay		Budget Requests			
State	Title	Total Number of Members	Ex Officio Members	Appointed	Years of Term	State Employee or Educator Ineligible	Advisory	Management	To Board for Allocation to Institutions	Direct to Institutions	Approval of Request	Review of Request	Review and Make Recommendations	No New Programs Without Approval		Establish Master Plan
Alabama	Commission of Higher Education	9	-	X	9	X	X			X		X	X			
Alaska	Board of Regents	8	1	X	8			X		X				X		
Arizona	Board of Regents	10	2	X	8			X		X	X		X	X		X
Arkansas	State Board of Higher Education	10	-	X	10	X	X			X		X	X			X
California	Coordinating Council for Higher Education	10	1	X	4		X			X		X	X			X
Colorado	Commission on Higher Education	9	-	X	4	X	X			X		X	X	X		X
Connecticut	Commission for Higher Education	16	-	X	8		X			X			X	X		X
Delaware	-- No Board --															
Florida	Board of Regents	9	-	X	9			X		X		X	X	X		
Georgia	Board of Regents of the University System of Georgia	15	-	X	7			X	X					X		
Hawaii	Board of Regents of the University of Hawaii	9	-	X				X	X		X		X	X		
Idaho	State Board of Education and Board of Regents of University of Idaho	9	2	X	5			X	X		X		X	X		

SUMMARY, cont'd

CHARACTERISTICS OF BOARDS OF HIGHER EDUCATION IN FIFTY STATES AS DEFINED BY LAW,

July 1971

Coordinating Boards		Membership					Authority		Appropriations		Capital Outlay		Budget Requests		
State	Title	Total Number of Members	Ex Officio Members	Appointed	Years of Term	State Employee or Educator Ineligible	Advisory	Management	To Board for Allocation to Institutions	Direct to Institutions	Approval of Request	Review of Request	Review and Make Recommendations	No New Programs Without Approval	Establish Master Plan
Illinois	Board of Higher Education	16	6	X	6			X		X		X	X	X	X
Indiana	Commission for Higher Education	12	-	X	4	X	X			X		X	X	X	X
Iowa	State Board of Regents	9	-	X	6			X		X	X		X	X	
Kansas	State Board of Regents	9	-	X	4			X		X					
Kentucky	Council on Public Higher Education	17	8	X	4	X		X		X			X		X
Louisiana	Coordinating Council for Higher Education	15	-	X	6	X	X			X		X	X	X	X
Maine	Board of Trustees of the University of Maine	15	1	X	7			X	X		X		X	X	X
Maryland	Council for Higher Education	13	-	X	6		X			X					X
Massachusetts	Board of Higher Education	11	4	X	5	X		X		X		X	X	X	
Michigan	State Board of Education	10	2		8		X			X		X	X		
Minnesota	Higher Education Coordinating Commission	11	-	X	4		X			X					
Mississippi	Board of Trustees of State Institutions of Higher Learning	12	-	X	12			X	X		X			X	

Missouri	Commission on Higher Education	10	4	X	6	X	X			X		X	X		X	
Montana	State Board of Education	11	3	X	8			X		X			X			
Nebraska	-- No Board --															
Nevada	Board of Regents of the University of Nevada	11	-		4			X		X	X			X		
New Hampshire	Board of Trustees of the University System	22	6	X	4			X		X						
New Jersey	Board of Higher Education	18	2	X	6			X		X		X	X		X	
New Mexico	Board of Educational Finance	11	-	X	6			X		X			X			
New York	Regents of the University of the State of New York	15	-		15	X		X		X					X	
North Carolina	State Board of Higher Education	22	7	X	6	X		X		X			X	X	X	
North Dakota	State Board of Higher Education	7	-	X	7	X		X		X			X	X		
Ohio	Board of Regents	11	2	X	9	X		X		X		X	X	X	X	
Oklahoma	State Regents for Higher Education	9	-	X	9	X		X	X					X	X	
Oregon	State Board of Higher Education	9	-	X	6	X		X	X		X			X	X	
Pennsylvania	State Board of Education and Council of Higher Education	17	-	X	6	X		X		X			X		X	
Rhode Island	Board of Regents for Education	9	-	X	4	X		X	X		X		X	X	X	
South Carolina	State Commission on Higher Education	14	7	X	4	X	X			X			X	X		
South Dakota	Board of Regents	7	-	X	6			X	X			X	X		X	
Tennessee	Higher Education Commission	9	-	X	9	X	X			X		X	X	X	X	

SUMMARY, cont'd

CHARACTERISTICS OF BOARDS OF HIGHER EDUCATION IN FIFTY STATES AS DEFINED BY LAW,

July 1971

Coordinating Boards		Membership					Authority		Appropriations		Capital Outlay		Budget Requests		
State	Title	Total Number of Members	Ex Officio Members	Appointed	Years of Term	State Employee or Educator Ineligible	Advisory	Management	To Board for Allocation to Institutions	Direct to Institutions	Approval of Request	Review of Request	Review and Make Recommendations	No New Programs Without Approval	Establish Master Plan
Texas	Coordinating Board, Texas College and University System	18	-	X	6	X		X		X	X		X	X	X
Utah	State Board of Higher Education	15	-	X	6			X		X			X		X
Vermont	Higher Education Council	17	17												
Virginia	State Council of Higher Education for Virginia	9	1	X	4	X	X			X		X	X	X	X
Washington	Council on Higher Education	24	-	X	6		X			X		X	X	X	X
West Virginia	Board of Regents	10	1	X	6	X		X	X		X		X	X	X
Wisconsin	Coordinating Committee for Higher Education	17	4	X	8		X			X		X	X	X	X
Wyoming	Higher Education Council of Wyoming	7	1	X	5		X			X		X	X		

Alabama Commission of Higher Education

The Alabama Commission of Higher Education is composed of nine members appointed by the governor with the advice and consent of the senate. One member shall come from each congressional district (8), and one shall be appointed from the state at large. Appointees shall be selected without regard to political affiliation. No member may be on the governing board, be employed by or directly connected with any institution of higher education in the state; the State Department of Education; or any county or other local Board of Education. No member may serve past June 30th following his seventieth birthday. All members are deemed to be members at large charged with the responsibility of serving the best interest of higher education in the State. Any person who has served for five years shall not be eligible for reappointment.

The Commission serves in an advisory capacity to the governor and the legislature in all matters pertaining to state funds for the operation and the allocation of funds for capital improvements of state-supported institutions of higher education.

The Commission employs an executive officer and such staff as necessary within the limits of funds appropriated for this purpose.

State University and College Information System. The Commission, after affording a full opportunity to the public institutions of higher education to be heard shall design and establish

(Alabama)

a State University and College Information System to provide comprehensive, meaningful, and timely information pertinent to the formulation of decisions and recommendations by the Commission. The information submitted by the public institutions of higher education shall be in comparable terms and the reports developed through the system shall conform to the procedures established by the Commission.

The Commission shall use advisory committees to study methods and proposals for coordinating efforts of all such institutions in providing a stimulating and enriched educational environment for the citizens of the state and such other advisory committees as the Commission may deem desirable.

Coordination of Programs in Instruction, Research, or Public Service. The Commission of Higher Education is authorized to review periodically all existing programs of instruction, research, and public service funded by state appropriations at the State Universities and colleges and to share with the appropriate governing board, through the president of the institution, its recommendations.

The Commission shall seek through the use of advisory committees to study needless duplication of education, research or service programs and programs which are not adequately provided in the state, and shall make findings and recommendations to the institutions that would strengthen the total program of higher education in the state.

(Alabama)

The governing boards of public institutions of higher education in the state and the campuses under their governance or supervision shall not hereafter undertake the establishment of any new unit of instruction, research, or public service with state funds before submitting plans for the new unit to the Commission. The term "new unit of instruction, research or public service" includes the establishment of a college, school, division or institute, and includes the establishment of any new branch or campus. The term does not include reasonable extensions or alterations of existing curricula, research, or public service programs which have a direct relationship to existing programs; and the Commission may, under its rule-making power, define the character of such reasonable extensions and alterations.

Although its purpose is not one of control, the Commission may express any negative judgments on new units in reports made directly to the institutions and in its analysis of and comments upon the legislative budget requests.

Budget Proposals and Recommendations. The governing boards of the public institutions of higher education shall submit to the Commission through their appropriate administrative officers, not later than ninety days prior to each legislative session, its budget proposals for the operation and capital needs of the institution under its governance or supervision. The Commission shall receive, evaluate and coordinate budget requests for the public institutions of higher education of the state, shall hold

(Alabama)

open hearings on the budget requests of the separate institutions and shall present to each institution and to the legislature, a single unified budget report containing budget recommendations for separate appropriations to each of the institutions.

Powers and Duties of the Commission. The Commission shall exercise the following powers and duties in addition to those otherwise specified:

1. To make surveys and evaluations of higher education believed necessary for the purpose of providing appropriate information to carry out its powers and duties.

2. To recommend the enactment of legislation deemed necessary or desirable to insure the highest quality of higher education in the state, taking into consideration the orderly growth and overall development of the state system of public higher education to meet trends in population and the change in social and technical requirements of the economy.

3. To advise and counsel the governor, at his request, regarding any area of, or matter pertaining to, higher education.

4. To define junior college, senior college, university and university system; provided, that nothing herein shall be construed as authorizing the Commission to establish or create a university system, nor to alter a university system presently existing.

5. To publish criteria which may be used by the legislature as a basis for changing the classification of any public insti-

(Alabama)

tution of higher education and for determining the need for new public junior colleges, public senior colleges, universities, or university systems. Any proposed statute which would establish an additional institution of higher education may be submitted, either prior to introduction or by the standing committee considering same to the Commission for its opinion, and the Commission shall report its findings to the governor and the legislature.

6. To make studies for the classification and definition of the role and scope of each public institution of higher education in Alabama; and to recommend such changes in classification, role, and scope for such institutions as it deems necessary and which may be agreed to by the governing board of the institution.

7. To receive applications from the institutions for changes in classification, role, and scope and to recommend to the legislature for clarification such classifications in role or scope which may not be agreed to by the governing board of any institution.

8. To make continuing studies, on its own initiative or upon the request of the governor or the legislature, of the financial needs of public higher education and issue such reports to the governor and the legislature as may result from its studies.

9. To submit to the governor and the legislature on or before the first day in May of each odd-numbered year a written

(Alabama)

report covering the activities of the Commission. The report shall include:

a. statements of the nature, progress or result of any studies undertaken or completed during the two calendar years which ended on December 31 of the last preceding even-numbered year;

b. comments upon major developments, trends, new policies, budgets, and financial considerations which, in the judgment of the Commission, will be useful in planning a sound program of higher education; and

c. recommendations respecting public higher education in the state.

10. To make rules and regulations for its meetings, procedures and execution of the powers and duties delegated to it by this Act.

11. To encourage the establishment and development of formal consortia for the advancement of higher education comprised of institutions of higher education in the state.

12. To conduct a program of public information in order to inform citizens of the state of matters of importance to higher education in Alabama.

Governing Boards of Public Institutions of Higher Education -- Powers and Duties. Governing boards of the public institutions of higher education of the state shall retain all powers and duties heretofore given and conferred upon them by the Constitution or by any law expressed or implied, to govern, control and

(Alabama)

operate the institutions for which they are responsible. The Commission shall work with and support the respective boards and act in a fact-finding and advisory capacity.

Alaska Board of Regents

The University of Alaska is a statewide system consisting of three four-year and graduate level institutions, and six two-year community colleges.

The University of Alaska is governed by a Board of Regents consisting of eight members appointed by the governor, subject to confirmation of both houses of the legislature in joint session, for terms of eight years.

The Board of Regents shall:

1. Appoint the president of the university by a majority vote of the whole Board, and the president may attend meetings of the Board.

2. Fix the compensation of the president of the university, all heads of departments, professors, teachers, instructors, and other officers.

3. Confer such appropriate degrees as it may determine and prescribe.

4. Have the care, control and management of all the real and personal property and all money of the university.

5. Keep a correct and easily understood record of the minutes of every meeting and all acts done by it in pursuance of its duties.

6. Have kept a complete record of all money received and disbursed.

The Board of Regents may:

1. Adopt reasonable rules,orders,and plans with reasonable penalties for the good government of the university and for the regulation of the Board of Regents.

(Alaska)

2. Determine and regulate the course of instruction in the university with the advice of the president.

The Board of Regents shall make a written report to the legislature at the beginning of each regular session regarding the conditions of the university property, receipts and expenditures, and of the educational and other work performed.

The president of the University of Alaska is the executive officer of the Board and he may:

1. Give general direction to the work of the institution in all departments subject to the approval of the Board of Regents.

2. Appoint the deans, heads of departments, professors, assistants, instructors, tutors and other officers of the university to positions established by the Board of Regents.

The president shall also define the duties and supervise the performance of those persons whom he appoints. He may also suspend and expel a student for misconduct, or reinstate him. The Regents shall expand educational and cultural opportunities in the state, keeping pace with the expansion of the state in other fields, and provide educational facilities appropriate to the interests of the residents of the state.

Arizona Board of Regents

The Arizona Board of Regents, a governing Board of the three universities in Arizona consists of ten members: the governor, the state superintendent of public instruction, and eight members appointed by the governor, with the advice and consent of the senate, for terms of eight years. Each member of the Board is required to take an oath of office and to execute a bond in the amount of $5,000 filed with the state treasurer.

The general administrative powers of the Board are:

1. Establish a master plan for higher education and enact ordinances for the government of the institutions under its jurisdiction.

2. Appoint and employ a president or presidents, vice presidents, deans, professors, instructors, lecturers, fellows, and such other officers and employees as it deems necessary.

3. Determine the salaries of persons appointed and employed.

4. Establish a retirement system for any institution under its jurisdiction. For this purpose the Board may make such contributions of funds under its control as it deems expedient, but in no event shall the contribution rate be more than five and three one-hundredths per cent of the teaching staff payroll for the year for which such contribution is made, notwithstanding any other provisions of law to the contrary, relating either to non-admitted anuuity insurance companies or the expenditure of public monies.

5. Remove any officer or employee when in its judgment the interests of the education in the state so require.

(Arizona)

6. Fix tuitions and fees to be charged and graduate the tuitions and fees between institutions and between residents, nonresidents, and students from foreign countries.

7. Establish curriculums and designate courses at the several institutions which in its judgment will best serve the interests of the state.

8. Award such degrees and diplomas upon the completion of such courses and curriculum requirements as it deems appropriate.

In addition, the Board is authorized to purchase, receive, hold and make and take leases of, and sell real and personal property for the benefit of the state, and the institutions under its jurisdiction.

Within ninety days after the close of each fiscal year, the Board of Regents shall make a report for the fiscal year to the governor, setting forth the state of progress of the three universities, the courses of study, the number of professors and other instructional staff members employed, the number of students registered, the amount of receipts and expenditures and such other information as the Board deems proper.

Arkansas State Board of Higher Education

The State Board of Higher Education consists of ten members, appointed by the governor and confirmed by the senate for overlapping terms of ten years. No more than two members may be appointed from any one congressional district; no more than three members may be graduates of any one state college or university; no member of the board of trustees of a state-supported college or university is eligible for membership on the Board.

The Board elects its own chairman, and meets at least once quarterly.

The Board has the following powers and duties:

1. Review existing programs and functions of the state-supported institutions; enlist institutional cooperation in the expansion of programs and functions at each institution; recommend to each institution, the governor, and the general assembly the role and scope of each institution. Each board of trustees is required by law to cooperate with the State Board in these endeavors.

2. Determine the need for and recommendation to the governor and the general assembly, the establishment and location of any new institution, branch, or major center of existing institution, and recommend when desirable changes in names of existing institutions.

3. Request and receive from each institution, any information the Board deems necessary for the performance of its duties.

(Arkansas)

4. Request, receive and evaluate proposals for all new units of instruction, research, and public service previously approved by the president and board of trustees of an institution, and determine if such new units are justified. The Board may recommend to any institutional board of trustees the discontinuance of any program found to be unnecessary or needless duplication.

5. Recommend minimum and maximum fees to be paid by all categories of students.

6. Recommend the level of funding and method of distribution of state-supported scholarship and loan programs, and seek institutional cooperation in coordinating such funds (including those federally financed).

7. Review, evaluate, and coordinate budget requests of all state-supported institutions and present to the governor and the general assembly a single budget request containing its recommendation for separate appropriations to each institution.

8. Conduct continuing studies in all matters affecting the institution and submit to the governor, the general assembly, and each institution its findings and recommendations.

9. Adopt uniform definitions and report forms in institutional statistics for use in making financial recommendations to be followed by each institution.

10. Conduct such studies and evaluations deemed necessary for continuous statewide master planning and advise the institutions on such plans and needed improvement.

(Arkansas)

11. Review all proposed bond issues and advise each institution of the economic feasibility thereof.

12. Serve as the state agency for such federal programs which can appropriately be administered by it.

13. Direct and integrate programs for defining, popularizing, and securing acceptance of the major objectives of higher education, and relating them to the problems of the state.

14. Assist the institutions in formulating acceptable personnel policies and recommend to the governor and the general assembly classification and pay plans for each institution for inclusion in their biennial budget requests.

15. Coordinate and approve the purchase or lease by any institution of new or additional data processing equipment.

The Board employs a director, confirmed by the governor, who serves at the pleasure of the governor. The director employs the staff which serves under his direction and supervision.

A Division of Community and Junior Colleges has been established within the Department of Higher Education. Subject to the approval of the State Board, the advice of the Advisory Committee on Community and Junior Colleges, the division:

1. Coordinates community-junior colleges with the public schools, universities and state colleges, and other educational institutions in Arkansas. It works with the institutions in developing criteria for the transfer of credits.

2. Promulgates the criteria for the establishment of community-junior college districts, the size and location of

(Arkansas)

sites, nature and extent of the program, and the size and types of buildings required.

3. Develops objective criteria for allowing the governing boards of each institution to continue to serve their institution without affecting the powers and duties vested in such boards by law.

4. Develops, on request, tentative budgets for the annual operations of any new community-junior college district, and the proportion of this total cost to be borne by the district.

5. Advises re the change and expansion of the programs of the community-junior colleges.

6. Establishes minimum requirements for appointment to the presidency of a community-junior college.

7. Develops uniform procedures and formats for accounting and statistical reports from the community-junior colleges.

8. Determines, with the aid of the Joint Legislative Auditing Committee, that state funds are expended in conformity with the grant for such funds.

The Board is authorized to establish such advisory committees and councils deemed necessary for the development and coordination of higher education in the state. The Board encourages private institutions to plan effectively for the coordinated development of higher education.

Each of the governing boards of institutions of higher education continue to serve their respective institutions; nothing in this Act shall affect the terms of office or tenure, nor any

(Arkansas)

of their powers and duties in the internal management of the affairs of their respective institutions.

California Coordinating Council for Higher Education

The Coordinating Council for Higher Education in the State of California consists of ten voting members, one representative each from the University of California, the California State Colleges, the California Community Colleges, the private colleges and universities in the state, and six representatives of the general public -- these six are appointed by the governor, subject to confirmation by the senate to serve four-year terms. Representatives of the private colleges are appointed by the governor after consultation with an association of private institutions. In addition, there is one non-voting, ex officio observer representing the State Board of Education and designated by them.

The Council has the following functions, advisory to the governing boards of the institutions of public higher education and to appropriate state officials:

1. Review of the annual budget and capital outlay requests of the university and the California state colleges, and presentation of comments on the general level of support sought.

2. Advice delineating the different functions of public higher education and counsel as to the programs appropriate to each segment thereof; and in connection therewith submits to the governor and to the legislature within five days of the beginning of each general session a report which contains recommendations as to necessary or desirable changes, if any, in the functions and programs of the several segments of public higher education.

(California)

3. Development of plans for the orderly growth of public higher education and the making of recommendations on the need for and location of new faciltities and programs.

In addition, the Council serves as the state agency for federal programs of higher education.

Recently, the Council has given advice and approval to new proposed academic programs, based on institutional voluntary requests.

NOTE:

The Coordinating Council for Higher Education in California is one of the most effective coordinating agencies for higher education in the United States. It has earned this role by, (1) Expressing its judgments about new programs or institutions almost entirely in the context of, "Is this proposal in accordance with the accepted master plan for higher education in the state of California?" (2) Making far-reaching studies of the future needs of higher education in California for a period of fifteen to twenty years in advance; (3) Advising the legislature on these future needs of higher education in terms of new campuses and the like, so that these facilities will be available when the needs arise; (4) Recommending changes in the master plan for higher education to the institutions of higher education, the general public, and the legislature, when changes seemed indicated.

Colorado Commission on Higher Education

The Colorado Commission on Higher Education consists of nine members appointed by the governor, with the consent of the senate, for terms of four years.

The membership may not have more than five members from one political party. The responsibilities of the Commission apply to all post-secondary state-supported education including community colleges.

Requests for appropriations for all state-supported institutions are submitted to the Commission following uniform procedures prescribed thereby. These requests are approved jointly by the Executive Budget Office and the joint budget committee of the general assembly. Requests reflect each program and activity for which state appropriations are sought, at times specified by the Commission and the Executive Budget Office. After studying each budget request, the Commission reports its comments and recommendations re recommended appropriations applicable to each institution. The Commission is given opportunity by the joint committee of the general assembly to present its recommendations to the committee prior to budget hearings for any institution. The Commission presents, at the same time, its recommendations for capital construction projects requested by the several institutions.

Subject to the approval of the state controller, the Commission prescribes uniform financial reporting systems. The Commission requires tax-supported institutions to submit estimates of

(Colorado)

anticipated income and expenditures for any program or activity in which such institutions are engaged, whether the activity is supported by state appropriation or otherwise.

The Commission must review all activities requiring capital construction, and the general assembly does not authorize capital appropriations until such review has been conducted and reported to the general assembly.

The Commission prescribes uniform procedures for the development of capital construction programs for the institutions using, as nearly as possible, uniform standards of space and utilization.

The Commission is responsible for preparing, reviewing, and up-dating an approved master plan, program plan, and physical plant plan. It is the policy of the general assembly not to appropriate funds for such activities until approved by the Commission.

The Commission reviews, and approves, the plans for all capital construction projects regardless of the source of funds.

The Commission reviews, and approves, consistent with the institutional role and purpose, the proposal for any new program before it may be established.

Each institution of higher education has its own board of regents, or trustees. These boards of control perform administrative functions for their institution such as fixing tuition, appointment of the president and the faculty, et al.

The ultimate authority and responsibility for the determination of policies and programs for state-supported higher

(Colorado)

education rests in the general assembly. It is the duty of the Commission to recommend policies to the general assembly for their approval and to implement the policies adopted by the general assembly.

The advisory committee to the Commission on Higher Education is charged with recommending solutions for the problems and needs of higher education, and maintaining liaison with the general assembly and the boards of the several institutions of higher education, composed of nine members; four of whom are appointed from the general assembly; two senators, one from each major political party; two representatives, one from each major political party; one member elected by the board of regents of the University of Colorado; one member elected by the State Board of Education; one member elected by the board of trustees of the Colorado School of Mines; one member elected by the trustees of the state colleges; one member elected by the State Board for Community Colleges and Occupational Education. Not more than five members representing education or other groups may be selected and designated by the Commission for its advisory board. All members of the advisory committee receive agendas and staff documents, and are notified of the public meetings of the Commission; they are invited to attend for the purpose of making suggestions to resolve the problems and needs of higher education, and for maintaining liaison with both the general assembly and the respective institutional boards.

Any junior or community college district previously authorized to be organized may apply to the State Board for Community

(Colorado)

Colleges and Occupational Education to become a part of the state sytem. This request will be reviewed by the State Board for Community Colleges. When so approved, it shall forward the application to the Commission for its approval and authorization.

Connecticut Commission for Higher Education

The state of Connecticut has a Board of Trustees for the University, a Board of Trustees for the State Colleges, and a Board of Trustees for the Community Colleges, and a Board of Trustees for the State Technical Colleges.

Each board of trustees maintains its responsibility for the operation of its institution, or group of institutions.

The Commission for Higher Education consists of sixteen members; one trustee from the University of Connecticut, one from the State College Board, one from the Community College Board, and one from the State Board of Education, plus twelve members appointed by the governor for periods of eight years with the advice and consent of the legislature. The duties of the Commission are:

1. Be responsible for the planning and coordination of higher education throughout the state, encourage the governing boards of the constituent units to initiate necessary plans for development of the institutions under its control, and receive these plans for approval.

2. Establish an Advisory Council for Higher Education with representatives from public and private institutions to study methods for coordinating efforts of all such institutions in providing a stimulating and enriched educational environment for the citizens of the state.

3. Conduct research and studies concerning the state's provision of higher education.

4. Make an impartial assessment of the legislative proposals and budgetary requests for higher education and report thereupon to the governor and the general assembly.

5. Be responsible for licensing and accreditation of programs and institutions of higher learning.

6. Approve the size of the central office staffs of constituent boards, and the salaries and working conditions of said staffs; approve leases and site acquisitions.

Promulgate regulations establishing categories of plans for expansion and development of the institution within its jurisdiction which require approval or coordinating by the Commission. Prior to the adoption of new salary schedules, or change in personnel classification of an employee to the "professional" category, the institutional board of trustees shall report these changes to the Commission, seeking its comments and recommendations.

7. Prepare and publish annual reports on the conditions, progress and needs of higher education in the state, and publish such other reports and information concerning the higher educational interests of the state as it deems advisable.

The Commission appoints a chief executive officer and such advisory committees as the Commission deems necessary in defining and suggesting solutions for the problems and needs of higher education, in order to promote more effective planning and coordination of the state system by appropriate regulations.

Title 10 of the Revised Statutes of 1965 vests sole responsibility for granting doctoral degrees and post-baccalaureate

(Connecticut)

professional degrees in the university of the state. Special responsibility for the preparation of public school teachers, including the master's degree, and authority for providing liberal arts programs is vested in the Board of Trustees of the State Colleges. The Board of Trustees of Regional Colleges is vested with the responsibility for providing programs of study for college transfers, terminal vocational, retraining, and continuing education leading to occupational certificates or to the degree of associate in arts or sciences, and vested in the State Board of Education responsibility for the state technical colleges and programs leading to the degree of associate in applied science.

In case of a dispute between governing boards of two institutions regarding the implementation of the state plan, the Commission shall hold hearings and the findings of the Commission shall be binding on the governing boards unless modified by later legislative action.

The governing board of each institution prepares its budget request on forms required by the Commission and submits such additional information to the Commission as requested. The Commission then reviews the budget requests, and submits its recommendations for a total budget to the state budget director, the governor, and the general assembly, outlining the requests of the constituent units, the recommendations of the Commission and further statements and proposals regarding an improved coordinated system of education within the state. The Commission

also submits, in their original form, all of the budget requests of the constituent boards.

Once funds are allocated by the legislative action, the governing board of each institution may determine the allocation of funds for operation and maintenance of the programs and activities authorized for that unit.

The Commission also serves as the accrediting board for all higher education in the state. Commission approval is required for the granting of degrees, the introduction of new programs, and the use of the term "junior college," "college," or "University."

The state of Connecticut has a board of trustees for administering the state-supported regional community colleges. This board is charged with planning the expansion and development of institutions within its jurisdiction, and shall submit such plans to the Commission for approval.

After approval by the Commission of the plan of the Board of Trustees of the Regional Community Colleges for development of a new regional community college, said Board of Trustees shall select the site for such new college with the advice and subject to the approval of the Commission. The Board of Trustees of the regional community colleges shall fix fees for tuition and other purposes subject to approval by the Commission. This provision also applies to the University of Connecticut and the state colleges.

The Board of Trustees of the State College is required

to maintain the same relationship to the Commission as are the Board of Trustees for State-Supported Regional Community Colleges.

While the Commission in the main is advisory, it has responsibility for the approval of institutional programs and the "master plan" of each campus.

Delaware

There is no coordinating board of higher education in the state of Delaware. There is, however, a voluntary organization known as the Council of Presidents, which includes officers from the University of Delaware, Delaware State College, and Delaware Technical and Community College. In addition, the Superintendent of Public Instruction and the Chairman of the Governor's Council on Science and Technology serve as resource persons on the Council. The Council's primary objective is to improve education at all levels in the state through voluntary cooperation and communication. The group was first formed in the fall of 1969 and continues to be quite active, although there is no legal basis for its association.

Florida Board of Regents

The Board of Regents of the institutions of higher education in Florida is composed of nine persons who have been citizens of the state for at least ten years, appointed by the governor, concurred in by the State Cabinet, confirmed by the senate to hold office for nine years.

The Board of Regents is subservient to the State Board of Education which (1) approves or disapproves each appointment to the Board of Regents, and may remove members for cause; (2) approves all rules and regulations of the Board of Regents before they are filed with the secretary of state; (3) at all times exercises general supervision and control over the Board of Regents.

The Board of Regents is authorized and empowered:

1. To establish the policies, rules and regulations under which the university system shall be managed and operated by the respective heads of the institutions and agencies. Such policy shall include provision for the appointment and removal of personnel of the several institutions in agencies, and the establishment of compensation and other conditions of employment for other than career service employees, compensation and other conditions of employment for career service employees are established by the Division of Personnel and Retirement of the Department of Administration.

(Florida)

2. To appoint and to remove the chief executive officer of the Board's staff and the head of each institution or agency in the state university system.

3. Subject to the provisions of existing law, to review, amend and approve all budgets in the state university system. The Board of Regents shall present to the legislature through the State Board of Education all requests for appropriations.

4. To review all matters appealed to it in accordance with procedures prescribed by the Board.

5. To approve the programs of instruction and the different branches of learning to be offered and maintained at each of the several institutions, and to alter and change the same.

6. To prescribe minimum standards for admission of students to all institutions supervised by said Board and to work toward uniformity thereof insofar as practicable.

7. To coordinate all programs under its jurisdiction in order to insure their efficient administration.

8. To conduct, through its staff, continuous studies of each institution to determine whether the policies and regulations of the system are being followed, and to determine how efficiently and effectively the staff and facilities are being used.

9. To conduct a space utilization study to support its budget request for capital outlay and to present same to the legislature prior to each regular legislative session.

10. To conduct through its staff, continuous studies of the immediate and future needs of the state in higher education, including research and public service; what institutional facilities are required to meet these needs, and at which institution they can be best served. These studies shall consider the need for new institutions and the place of the private institution in relation to the state program.

11. To provide and coordinate credit and non-credit extension courses in all fields which the Board shall consider necessary to improve and maintain the educational standards of the state.

All fees established by the Board of Regents, other than the student registration fees, shall become effective after approval by the State Board of Education. The student registration fee is recommended by the Board of Regents and approved by the legislature.

No buildings shall be constructed, altered, remodeled or added to by the state university system without express approval of each project having first been granted by the legislature (exception is made in the case of buildings erected by federal grants, private gifts or grants, insurance payments for replacement of destroyed buildings, and any construction within the sum of $50,000 does not require legislative approval).

The executive officer of the Board of Regents serves as chancellor of the state university system. The chancellor shall advise the Board on all educational problems, shall see that the

(Florida)

Board's policies are carried out, shall supervise the Board's statewide studies and make recommendations for plans to meet the state's obligations in higher education, shall be the liaison officer for the Board with the State Board of Education, and shall perform such other duties as the Board shall designate. The chancellor shall serve at the will of the Board. The chancellor shall, in the judgment of the Board, be so qualified as to carry out the duties and responsibilities assigned to him. The chancellor shall be responsible for the administration of the entire state university system under policies prescribed by the Board of Regents and shall conduct a continuous study to keep the Board informed on the operation and needs of the system.

Board of Regents of the University System of Georgia

The Board of Regents was established by legislative enactment in 1931, replacing the several boards of trustees for the individual institutions of higher education in the state and abolishing such boards. The legislative act was amended in 1937, and in 1943 was amended again and provided that the Board of Regents become a constitutional body.

The Board of Regents has fifteen members, one from each congressional district of the state (ten) plus five from the state-at-large, appointed by the governor and confirmed by the senate. The term of office is seven years.

The officers of the Board are the chairman, vice chairman, chancellor, vice chancellor, executive secretary and treasurer. The chancellor is the chief executive officer of the University System of Georgia.

The control, management and government of the University System of Georgia including all of its institutions is vested in a Board of Regents, including the right to consolidate, suspend, or discontinue institutions, merge departments, inaugurate or discontinue courses, and abolish or add degrees.

All appropriations made for the use of any or all institutions in the University System of Georgia shall be paid to the Regents with the power and authority in said Regents to allocate and distribute the appropriation among the institutions in such manner and amount as will further an efficient and economical administration of the University System.

(Georgia)

When funds are received from sources other than the legislature, i.e., gifts, grants, endowments for the use or benefit of any particular institution, the Regents shall not use said money except for the benefit of the institution for whose use the money was provided. The same applies to any unusual situation in which the legislature might perhaps appropriate a sum of money for a specific purpose to a particular institution.

The Board of Regents of the University of Hawaii

The Board of Regents of the University of Hawaii has general mangement and control over all affairs of the University. The Board consists of nine members appointed and removable by the governor. State officers are eligible for membership on the Board. The Board meets not less than ten times annually. The President of the University is the executive officer of the Board.

The Board may borrow up to $100,000, from time to time, from the state treasury without interest, provided the loan is repaid within the same fiscal year.

The Teachers College is affiliated with the University and is under the jurisdiction and management of the Board of Regents.

The Aquarium and the Marine Laboratory are affiliated with the University of Hawaii, and are under the jurisdiction and management of the Board of Regents.

The Legislative Reference Bureau is affiliated with and under the jurisdiction and management of the Board of Regents.

The Agricultural Extension Service and Experiment Station are affiliated with and under the management and control of the Board of Regents.

The Board of Regents has authority to establish and govern a system of community colleges and has the same powers and management over the community colleges that it has over the University of Hawaii.

Idaho State Board of Education and Board of Regents of the University of Idaho

The State Board of Education of Idaho consists of nine members: the state superintendent of public instruction, and the executive director of the State Board of Education ex officio, plus seven members appointed by the governor for five-year terms, and confirmed by the senate.

The executive officer of the State Board of Education, is the "executive director" who supervises the administration of all state institutions having instruction above the twelfth grade, and also serves as a member of the Board of Regents of the University of Idaho.

The State Board of Education is also the Board of Regents of the University of Idaho. The State Board of Education has general supervision, government, and control of all state educational institutions -- the University of Idaho, Idaho State University, Lewis and Clark Normal, the State Youth Training Center, School for the Deaf and Blind, and any other state educational institution which may hereafter be founded.

The State Board shall submit to the budget director of the state, a budget for each educational institution under its government, showing the financial need of each institution for the period for which appropriations are to be made. The Board shall direct and control all funds so appropriated.

The State Board shall authorize and approve all plans and specifications for the construction or alteration of buildings

(Idaho)

at the state educational institutions under its control, and shall direct and control the purchase of all equipment, fixtures and supplies.

The State Board shall define the limits of instruction in all educational institutions supported in whole or in part by state funds in order to prevent wasteful duplication of effort.

The State Board shall approve the program of education of all professional personnel, in both public and private institutions in the state.

Illinois Board of Higher Education

The Board of Higher Education consists of sixteen members: ten appointed by the governor, by and with the consent of the senate, plus the chairman of the Board of Trustees of the University of Illinois, the chairman of the Board of Trustees of Southern Illinois University, the chairman of the Board of Governors of the State Colleges and Universities, the chairman of the Board of Regents, the chairman of the Junior College Board, and the superintendent of public instruction. The chairman is designated by the governor. Insofar as possible, the ten members appointed by the governor are selected on the basis of their knowledge, interest, or experience in problems of higher education. The term of the ten appointive members shall be for six-year periods.

The Board shall analyze the present and future aims, needs, and requirements of higher education in the state of Illinois, and prepare a master plan for the development, expansion, integration, coordination and efficient use of the facilities, curriculum and standards of higher education for public institutions in the area of teaching, research, and public service. The Board shall conduct a study of the needs for additional programs in the health professions and the determination of geographic location for such new programs.

The Board shall engage in a continuing study and evaluation of the master plan, and it shall be its responsibility to recommend from time to time, amendments and modifications of the plan

(Illinois)

as enacted by the general assembly.

The governing boards of the University of Illinois, Southern Illinois University, the several other institutions under the governance of the Board of the State Colleges and Universities, the several other institutions under the governance of the Board of Regents, and the Junior College Board, shall not establish any new unit of instruction, research, or public service without the approval of the Board. The term "new unit of instruction, research or public service" includes the establishment of a college, school, division, an institute, department or other unit in any field of instruction, research, or public service, not heretofore included in the program of the institution, and includes the establishment of any new branch or campus of the institution. The term does not include reasonable and moderate extensions of existing curricula, research, or public service programs which have a direct relationship to existing programs, and the Board may define the character of such reasonable and moderate extension.

Each governing board shall submit to the Board all proposals for any new unit of instruction, research, or public service. The Board of Higher Education may approve or disapprove the proposal in whole or in part, or approve modifications thereof, whenever, in its judgment, such action is consistent with the objectives of the master plan. The Board is authorized to review periodically all existing programs of instruction, research, and public service, and to advise the appropriate board in control if the contribution of each program is not educationally and economically justified.

(Illinois)

The several boards of control shall submit to the Board of Higher Education their budget proposals for the operation and capital needs of their institutions for the coming year. The Board in evaluating the budget requests shall consider tuition rates and the current and projected utilization of the physical plant.

The Board of Higher Education shall submit to the general assembly, and to the appropriate budget agencies of the governor and the legislature, its analysis and recommendations on such budget proposals.

The Board shall exercise the following powers and duties in addition to those specified herein:

1. To cause to be made such surveys and evaluations of higher education as it believes necessary for the purpose of providing the appropriate information to carry out its powers and duties.

2. To recommend to the general assembly the enactment of such legislation as it deems necessary or desirable to insure the high quality of higher education in this state.

3. To advise and counsel the governor, at his request, regarding any area of, or matter pertaining to, higher education.

4. To submit to the governor and the general assembly on or before the first Monday in February of each odd-numbered year, a written report covering the activities engaged in and

(Illinois)

recommendations made by it during the two calendar years which ended on December 31 of the last preceding even-numbered year.

5. To make rules and regulations for its meeting, procedures, and the execution of the powers and duties delegated to it by this Act.

6. To establish general policies regarding charges to be made for extension, adult education, and public service programs.

7. To establish minimum standards of admission for all institutions. Admission standards for nonresident students may be higher than for residents.

8. To administer all funds made available by the Federal government or by other agencies, both public and private.

9. To design, establish, and supervise the operation of an information system for all state-supported colleges and universities, to provide the Board with timely, comprehensive, and meaningful information, which shall be comparable for each state-supported institution.

The separate governing boards of the University of Illinois, and other state-supported institutions shall retain all of the powers and duties heretofore given and conferred upon them, except as they are limited by the powers and duties assigned to the State Board of Higher Education.

Each state-supported institution shall also submit its plans for capital improvement of non-instructional facilities to the Board for approval before final contracts are signed. Non-instructional uses include dormitories, unions, field houses,

(Illinois)

stadia, and other recreational facilities and parking lots. If the project is found by a majority of the Board not to be consistent with the master plan for higher education, and with instructional buildings provided for therein, such capital improvements shall not be made.

Indiana Commission for Higher Education

The Commission for Higher Education consists of twelve members appointed by the governor for four-year terms. Each congressional district is represented by at least one member. Members may not be governing board members or employees of any public or private educational institution in the state, or an official or employee of the state or subdivision thereof.

The Commission shall have the following powers and duties:

1. To develop, keep current, and implement a long range plan for post-high school education. In developing this plan the Commission shall take into account the plans and interests of the state private institutions, anticipated enrollments in state post-high school institutions, financial needs of students, and other factors pertinent to the quality of educational opportunity available to the citizens of Indiana. The plan shall define the educational missions and the projected enrollments of the various state educational institutions.

2. To make recommendations to the general assembly and the governor concerning the long range plan, and prepare to submit drafts and proposed legislation needed to implement the plan.

3. To review the legislative request budgets of all state educational institutions preceding each session of the general assembly and to recommend appropriations and bonding authorizations to state educational institutions including public funds for financial aid to students.

(Indiana)

4. To make studies of the needs for various types of post-high school education and to make recommendations to the general assembly and the governor concerning the organization of these programs.

5. To approve or disapprove the establishment of any new branches, regional or other campuses or extension centers, or of any new college or school, or the offering of any additional graduate degree. The Commission may review new associate and baccalaureate degree programs in any academic area by any state educational institution with power to approve or disapprove. No state educational institution shall establish any new branch, regional campus or extension center or any new or additional academic college, or school, or offer any new graduate degree without the approval of the Commission, or specific authorization by the general assembly. Any state educational institution may enter into contractual agreements with governmental units or with business and industry for specific programs to be wholly supported by the governmental unit or business and industry without the approval of the Commission.

6. If designated by the governor or the general assembly, the Commission serves as the agency for the purposes of receiving or administering funds available for post-high school education programs: projects and facilities for any of the acts of the United States Congress where the acts of Congress require the state to designate such an agency or commission.

(Indiana)

7. To designate and employ an executive officer and necessary employees, to designate their titles, and to fix the compensation in terms of their employment.

8. To appoint appropriate advisory committees composed of representatives of state educational institutions, representatives of private colleges and universities, students, faculty, and other qualified persons.

Restrictions: (1) The Commission shall not have the authority to obligate any tax funds or other funds of the state except such as shall have been appropriated to the Commission by the general assembly.

(2) The Commission shall have no powers or authority relating to the management, operation or financing of Ball State University, Indiana University, Indiana State University, Purdue University, Vincennes University, the Indiana Vocational Technical College, or any other state educational institution except as expressly set forth in the charter. The management, operations, and financing of state educational institutions shall remain exclusively vested in the trustees or other governing boards or bodies of these institutions.

Iowa State Board of Regents

The Iowa State Board of Regents consists of nine members appointed by the governor with the approval of two-thirds of the senate for six-year terms. Members are nominated from the state at large, solely with regard to their qualifications and fitness to discharge the duties of the office. Not more than five members may be of the same political party. The Board is required by law to meet four times yearly but actually meets for two days each month except in August.

The Board exercises control and supervision over the three state universities as well as the Iowa Braille and Sight Saving School and the Iowa School for the Deaf. The major powers and duties of the Board are:

1. Elect the presidents of the institutions.

2. Make rules for admission to and government of said institutions.

3. Manage and control the property, both real and personal, belonging to said institutions.

4. Accept and administer trusts.

5. Direct the expenditure of all appropriations made to said institutions, and of any other moneys belonging thereto.

6. Grant leaves of absence with full or partial compensation to staff members to undertake approved programs of study, research or other professional activity.

7. Lease properties and facilities, either as lessor or lessee, for the proper use and benefit of said institutions.

(Iowa)

8. With the approval of the Executive Council (composed of the governor, secretary of state, auditor, treasurer and secretary of agriculture) acquire and dispose of real estate.

9. Submit budgets for biennial appropriations deemed necessary and proper for the support of the several institutions, including both operations and capital improvements.

10. Erect such dormitories as may be required for the good of the institutions, establishing such rental rates as will insure a reasonable return upon the investment.

11. Issue and sell negotiable bonds to pay for any part of the cost of carrying out any project at any state university.

12. Report biennially to the governor and the legislature such facts, observations and conclusions respecting each institution as in the judgment of the Board should be considered by the legislature.

Kansas State Board of Regents

The constitution of the state of Kansas provides that:

The Board of Regents shall have nine persons appointed by the governor subject to confirmation by the senate. One member shall be appointed from each congressional district with the remaining members appointed at large; however, no two members shall reside in the same county at the time of appointment.

The Board is empowered to appoint and fix the salary of an executive officer, who shall act as the executive officer of the Board.

The Board of Regents shall have control and supervision of public institutions of higher education, including colleges and universities granting baccalaureate or post-baccalaureate degrees, and of such other institutions and interests as may be provided by law.

Kentucky Council on Public Higher Education

The Council on Public Higher Education is composed of nine lay members appointed by the governor plus the president or chief executive officer of each four-year state-supported institution of higher education.

The nine lay members constitute the voting membership of the Council. They are appointed for terms of four years. When the Council considers curricula for teacher education, three persons from accredited institutions of higher learning, appointed by the executive committee of the Kentucky Association of Colleges, Secondary and Elementary Schools, shall be invited to meet with the Council in an advisory capacity.

The duties of the Council are:

1. To conduct analyses and research to determine the overall needs of higher education in the state.

2. Develop and transmit to the governor, plans for public higher education which meet the needs of the state. The plans so developed shall conform to the functions and duties of the state colleges and universities, the community colleges, and other agencies as defined by law.

3. Determine the admission requirements and registration fees for each institution.

4. Review the fiscal requirements and budget requests of the institutions. The individual institutional budget requests along with the Council's recommendation shall be submitted to

(Kentucky)

the governor through the state department of finance. (Separate appropriations are made.)

5. Require such reports as deemed necessary.

6. Publish annually a report on the educational and financial affairs and disseminate other information relating to higher education.

7. Approve all new professional schools and make recommendations to the governor regarding proposed new community colleges and four-year institutions.

8. Approve curricula for teacher education.

9. Be the agency representing the state in all matters of higher education, not otherwise delegated to one or more institutions.

10. Appoint an executive director who shall represent the Council on administrative matters.

Under the state plan which has been recommended by the Council and approved by legislative action, the University of Kentucky provides undergraduate programs of instruction; graduate instruction at the master's level, doctoral and post-doctoral levels; professional training in law, medicine, education, engineering, dentistry; continues to be the principal institution in the state for the conduct of statewide research and service programs; provides community college programs in its own community comparable to those listed later in the description of the community college system.

(Kentucky)

The four regional universities and Kentucky State College provide baccalaureate programs of instruction; graduate programs at the master's degree level in education, business, the arts and sciences and anything beyond the master's degree level to meet the state requirements for teachers, school leaders, and other certified personnel; research and service directly related to the needs of their geographical area; and may provide programs of a community college nature in their own community comparable to those listed for the University of Kentucky Community College System. The graduate program at Kentucky State College has not been activated.

The University of Kentucky Community College System now contains fourteen community colleges in appropriate geographical centers of the state, with two additional centers authorized by fall 1968. Their functions are to provide:

1. A general two-year academic curriculum, with the credits transferable to four-year colleges and universities.

2. Technical and semi-professional programs of two years or less, and

3. Within a two-year college curriculum, courses in general education, including adult education, not necessarily intended for transfer nor technically oriented.

Louisiana Coordinating Council for Higher Education

The Louisiana Coordinating Council for Higher Education is composed of fifteen members:

1. One member of the Board of Supervisors of Louisiana State University, designated by the Board.

2. One member of the State Board of Education, designated by the Board.

3. Thirteen members appointed by the governor with the advice and consent of the senate, for rotating terms of six years.

One member shall be appointed from each congressional district, with not more than three from any one congressional district.

None of the appointed members shall be an employee, officer, or member of the board of any public or private institution, nor shall any elected official be appointed.

The Council may appoint a director to serve at its pleasure, prescribe his duties and fix his compensation.

The Council meets at least four times yearly.

The Council shall perform duties necessary to implement public policy, including:

1. To analyze the present and future needs and objectives of higher education in Louisiana; to prepare a master plan for the coordination, development and organization of public higher education in the state; and to conduct the necessary studies to prepare such master plan. Proposals for the implementation of the

(Louisiana)

master plan shall be submitted to the governor, the legislature, the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College and the State Board of Education. The Council shall continually study and evaluate the master plan and shall recommend needed revisions to the governor, to the legislature, to the Board of Supervisors of the Louisiana State University and Agricultural and Mechanical College and to the State Board of Education. The Council shall take into account present and proposed programs of private institutions of higher education in determining the needs of the state. The participation of such private institutions shall be requested by the Council and it shall consult with representatives of the state's elementary, secondary, vocational, technical and trade schools in developing the educational needs of the state.

2. Whenever a new public institution of higher education is proposed, the Council shall make a thorough study and analysis of the need and feasibility of such new institution and shall report thereon within one year to the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the State Board of Education, to the governor and the legislature in writing.

3. The approval or disapproval of new degree programs.

4. To review periodically all existing programs of instruction, research, extension and public service and shall advise the appropriate governing Board of its recommendations.

(Louisiana)

5. The Board of Supervisors of Louisiana State University and Agricultural and Mechanical College and the State Board of Education submits to the Council annually their legislative budget proposals for the operation and capital needs of the institutions of higher education under their control and supervision. The Council develops project priorities for capital construction and improvements and includes in its recommendations those which are consistent with the master plan for higher education, including projects which are supported by revenue other than appropriations.

6. The Council has authority to prescribe necessary procedures and forms to insure the availability of sufficient data in the areas of enrollments, costs, and other programs so that such items shall be comparable among all public institutions of higher education and is responsible for devising formulae for implementing this objective and reporting the recommendations in connection therewith to the governor, the legislature, and the governing boards of institutions of higher education in the state.

7. The Council establishes and maintains an information system for higher education and makes such studies and surveys as may be necessary for the maintenance of the system.

8. The Council does not have jurisdiction over naming or changing the name of institutions of higher education, but can only make recommendations. Such authority shall remain within the power and discretion of the legislature.

Maine -- Board of Trustees of the University of Maine

In April 1968, the legislature established a statewide system of higher education known as the University of Maine, including the institution formerly known as the University of Maine, plus the five state colleges. The Maine Maritime Academy is the only senior tax-supported institution not included as a unit of the University of Maine.

The Board of Trustees of the University of Maine consists of fifteen persons. The state commissioner of education serves as a voting member ex officio; the fourteen other members are appointed by the governor with the advice and consent of the Council for rotating terms of seven years. Trustees are eligible for reappointment for a second term only, and retire at age seventy. Vacancies are filled by the governor with the advice and consent of the Council for the unexpired balance of the term.

The Board of Trustees, in consultation with the chancellor, serves as the governing and planning body of the university and is responsible for preparing and approving the operating and capital budgets of the university, and presenting them to the legislature.

There is no official coordinating or planning agency for all institutions of higher education within the state.

The Higher Education Council, established in 1967, however, provides a channel for planning and for cooperative statewide

(Maine)

studies of higher education. Its membership includes all public and private degree-granting institutions, the state vocational-technical institutes and, as provisional non-voting members, those higher education institutions progressing toward degree-granting status.

Maryland Council for Higher Education

The Maryland Council for Higher Education consists of thirteen members appointed by the governor with the advice and consent of the senate, for terms of six years. One member is a representative of the University of Maryland, nominated by the Board of Regents of the University; one is a representative of the state colleges; one is a member of the State Board responsible for community colleges; one is a representative of the private institutions in the state. No more than two members may have attended the same institution.

The Council appoints a director of research who performs functions assigned by the Council.

The Council conducts studies concerning the various aspects of public higher education in the state, reports the result of its researches, and makes recommendations to the governing boards of the public institutions of higher education and to appropriate state officials with respect to the matters it has considered.

The Council functions are:

1. Preparation of programs for the orderly growth and overall development of the state system of public higher education to meet trends in population and the changing social and technical requirements of the economy.

2. Investigation of the needs throughout the state for undergraduate, graduate, and adult education, for professional and technical training and for research facilities, and presentation

(Maryland)

of plans and recommendations for the establishment and location of new facilities and programs.

3. Study and advise regarding the state-wide coordination of the activities of the public institutions of higher learning, academically, administratively and fiscally, with the objective of achieving the most effective and economical employment of existing educational facilities and of fostering a climate of cooperation and unified endeavor in the field of public higher education.

4. Securing, evaluating, compiling and tabulating data, statistics, and information on all matters pending before or of interest to the Council, from the agencies and institutions having responsibility therefor. These several agencies and institutions shall respond to and comply with any reasonable request of the Council for such data, statistics, and information.

5. Conduct such other studies and prepare reports concerning public higher education as the governor or general assembly may from time to time request.

Any institution for higher education which functions within the scope of the duties, functions, and interests of the Council, and which submits any program, plan, or proposal to any official or agency of this state, shall at the same time furnish a copy of the program, plan, or proposal to the Council for such recommendations as may be appropriate.

Nothing in this legislation shall be construed as granting to the Council any power other than of an advisory nature.

Massachusetts Board of Higher Education

While the Board of Higher Education is located functionally within the Department of Education, it is not subject to the control of the Department.

The Board is composed of eleven members as follows: a member of the Board of Trustees of the University of Massachusetts, selected by the Trustees; a member of the Board of Trustees of the State Colleges similarly chosen; a member of the Board of Regional Community Colleges similarly chosen; a member of the Board of Trustees of Lowell Technological Institute, or the Board of Trustees of the Southeastern Massachusetts Technological Institute, similarly chosen; and serving alternate terms.

Each of the preceding four members serve for terms of one year.

In addition, seven members of the Board are appointed by the governor; one to be a member of the Board of Trustees of a private institution in Massachusetts, one to be a member of a labor organization affiliated with the Massachusetts Council AFL-CIO, two of whom shall be women.

No appointive member may be employed by an educational institution or by the state of Massachusetts. No two appointive members may be alumni of the same public institution of higher education in the state; no person serving as a trustee for any public institution of higher education may be an appointive member.

(Massachusetts)

The appointive members serve for five years; no person may serve for more than two full terms.

There shall also be in the Department of Education, but not subject to its control, an advisory commission to the Board of Higher Education. The advisory commission consists of: the president of the University of Massachusetts, the president of the Lowell Technological Institute; the president of the Southeastern Massachusetts Technological Institute, the president of the Massachusetts regional community colleges, the commissioner of education, the director of research of the advisory council on education, one president of a state college chosen annually by vote of all state college presidents, and one president of a private institution to be appointed by the governor. The governor's appointee serves a term of five years. The commissioner of education and the director of research of the advisory council on education serve as ex officio members.

Members of the advisory commission meet with the Board of Higher Education except when the Board is in executive session.

The Board appoints a chancellor as its executive officer with a salary not to exceed $30,000 annually.

The general powers and duties of the Board of Higher Education are:

To facilitate, support and delineate functions and programs for public institutions of higher education; to allocate to them the responsibility and autonomy to discharge such functions; to plan and develop efficient and effective coordination among the

(Massachusetts)

state-supported institutions -- provided however, that the termination of individual courses within a general program of study shall be the sole responsibility of each public institution.

The Board shall promote the best interests of all public higher education.

The Board shall plan and support orderly and feasible expansion of each segment of public higher education as a whole.

The Board has the power to receive allotments to the state under federal programs and to disburse such funds in accordance with official plans.

The Board shall coordinate such educational services as are common to all segments and institutions of public higher education.

The Board may approve awarding of degrees and may define and authorize new functions or new programs.

The Board may authorize "upon approval of the governing board concerned the termination of any program or degree."

The Board may authorize upon approval of the governing board concerned the transfer of an institution from one segment of public higher education into another.

The Board shall delineate changes in function and program of the several instiutions or segments of public higher education.

The Board shall approve plans for the orderly growth of public higher education as a whole and of each of its several segments.

The Board shall review the annual budget and capital outlay requests of the public institutions of higher education and the

(Massachusetts)

segments in public higher education, as a whole. (Separate appropriations are made.)

The Board shall make an annual report to the governor and the general court, its findings and recommendations concerning the needs, programs, location and budgets for public higher education and for each of its institutions and segments.

The Board shall issue an annual report outlining its activities and expenditures for the preceding year.

The Board shall collect and maintain such data from institutions, segments and agencies for public higher education as may be relevant to the discharge of its functions and duties.

The Board shall collect such data as the advisory council on education may request.

The Board may collect and maintain information requested by the advisory council on education as it sees fit from any institution, segment, or agency for public higher education.

The Board may seek relevant data from other states and institutions and from other departments within the state of Massachusetts.

The Board may seek, accept, and administer grants, gifts, and trusts from private foundations and federal agencies which shall be kept in a separate fund in the state treasury.

The Board may employ such consultants and experts as needed to study specific matters of concern to the Board.

The Board shall administer scholarship programs.

The Board shall establish and maintain university extension courses.

(Massachusetts)

The Board shall establish and maintain citizenship classes for the foreign born, teacher training, fellowship and loan programs and other post high school occupation oriented programs as deemed necessary.

Michigan State Board of Education

The State Board of Education shall consist of eight members nominated by party convention and elected at large for terms of eight years, plus the governor and the superintendent of public instruction, ex officio, without the right to vote. The governor shall fill any vacancy by appointment for the unexpired term.

The Board shall appoint a superintendent of public instruction as its chief executive officer.

The State Board of Education shall exercise leadership and general supervision over all public education, including adult education and instructional programs in state institutions except as to institutions of higher education granting baccalaureate degrees. It shall serve as the general planning and coordinating body for all public education, including higher education, and shall advise the legislature as to the financial requirements in connection therewith.

The powers of the boards of institutions provided in this constitution to supervise their respective institutions and control and direct the expenditure of the institution's funds, shall not be limited by this section.

The legislature shall appropriate monies to maintain the institutions; the institutions shall give an annual account of all income and expenditures; formal sessions of the governing boards shall be open to the public.

(Michigan)

The University of Michigan, Michigan State University and Wayne State University shall each have a constitutional board which shall exercise general supervision over its institution, and the control and direction of all expenditures from the institution's funds.

Each governing board shall consist of eight members who shall hold office for terms of eight years, elected as provided by law. The governor shall fill board vacancies by appointment.

The other institutions of higher education, established by law, with authority to grant baccalaureate degrees shall each be governed by a board in control which shall have general supervision over the institution and the control and direction of all expenditures from the institution's funds.

The members of these boards in control are appointed by the governor, with the advice and consent of the senate, for terms of eight years.

The legislature shall provide by law for the establishment and financial support of public community and junior colleges which shall be supervised and controlled by locally elected boards.

The legislature shall provide by law for a State Board for Public Community and Junior Colleges, which shall advise the State Board of Education concerning the general supervision and planning of such colleges and requests for annual appropriations

(Michigan)

for their support. This Board shall consist of eight members who shall be appointed by the State Board of Education for terms of eight years.

Minnesota Higher Education Coordinating Commission

The Higher Education Coordinating Commission consists of eight citizen members, one from each congressional district, and three at large citizen members. All eleven members are appointed by the governor with the advice and consent of the senate. All appointees to the board are selected for their knowledge of and interest in post-secondary education and at least one is selected specifically for his knowledge of and interest in vocational education. Appointments are for four years.

The duties of the Commission are:

1. To study continuously, and analyze all phases and aspects of higher education, both public and private, and develop necessary plans and programs to meet the present and future needs of the state.

2. To engage in continuing studies and long-range planning of the needs of higher education and if necessary to engage in cooperative planning with neighboring states and agencies of the federal government.

3. To serve as the "state agency" in applying for funds under the Higher Education Facilities Act, the Higher Education Act of 1965, and similar congressional acts.

4. To review and make recommendations regarding all new proposed instructional programs.

5. To administer the state scholarship and grant-in-aid programs.

(Minnesota)

6. To administer the state interinstitutional television program.

7. To negotiate and administer reciprocity agreements with neighboring states.

8. To contract with private colleges in Minnesota for the purchase of educational services.

9. To coordinate the development of computer technology in Minnesota higher education.

The legislature annually requests all institutions of higher education, public and private, to cooperate with the Commission in order to enable it to carry out its functions.

The Commission shall make an annual report both to the governor and to the legislature regarding its activities.

There also exists a Minnesota Higher Education Advisory Council made up of the president of the University of Minnesota, the chancellor of the State College Board, the chancellor of the State Junior College Board, the Commissioner of Education, and the executive director of the Minnesota Private College Council. The Advisory Council exists to advise the Commission in matters pertaining to post-secondary education and to react to proposals emanating from the Commission.

Mississippi Board of Trustees of State Institutions of Higher Learning

The Mississippi Board of Trustees of State Institutions of Higher Learning is composed of twelve members appointed by the governor with the advice and consent of the senate, and coming, one from each congressional district of the state, one from each supreme court district, plus two members from the state-at-large for a period of twelve years.

In addition, there is one trustee appointed for the University of Mississippi who may vote only on matters pertaining to the university, who must be a resident of De Soto County to be known as the trustee for the La Bauve Fund to serve for a term of four years. (The La Bauve family, many years ago, made a large gift to the University of Mississippi with the understanding that there would always be one member of the Board of Trustees with particular interest in the expenditure of these funds.)

The Board of Trustees of State Institutions of Higher Learning shall exercise control of all records, books, papers, equipment, supplies, land, buildings and other property as well as supervise and control the institutions of higher learning; shall exercise control, use, distribution and disbursement of all funds, appropriations and other monies coming to the institutions. (The appropriation in Mississippi is made in one lump sum to the Trustees who in turn allocate this among the institutions.)

(Mississippi)

The Board of Trustees shall also have general supervision of the affairs of the institutions of higher learning, the departments, schools, libraries, and laboratories, the dormitories, buildings and grounds, the business methods and arrangements, the organization, the administrative and curriculum plans for each institution, the requirements for entrance and graduation, and all matters appropriate to the proper functioning of these institutions.

The Trustees shall approve a budget annually for each institution which must be presented to the governor and the state finance office one-hundred twenty days before the opening of the legislature.

No official employee or agency representing any of the separate institutions may appear before the legislature or any committee thereof except upon a written order of the Board, or upon the request of the legislature or a committee thereof.

The governor and legislature shall receive annually from the Board a report indicating how the monies have been expended, the name of the teachers, officers, and employees, and the salary paid to each, and an itemized statement of each and every item of receipts and expenditures.

The Board elects the heads of the various institutions and contracts with all deans, professors, teaching staff, and all administrative employees for an appointment period not to exceed four years. The Board shall have the power and authority to terminate any such contract for malfeasance, inefficiency,

or contumacious conduct, but never for political reasons.

The Board also has the responsibility for the Research and Development Center and the Gulf Coast Research Laboratory.

The Board shall, by resolution, authorize the issuance of bonds for the erection of dormitories, dwellings and apartments, and fix the rental and use charges for such buildings and apartments. The bonds may be sold at private sales at not less than par and accrued interest without advertising the same at competitive bidding. The fees, rentals and other income from such buildings shall be pledged to retire the bonds.

The Trustees may also help provide instruction for all qualified students in graduate and graduate-professional schools outside the state when such instruction is not available to them within the state.

The Board of Trustees is also empowered and required to establish technical institutes as branches within the framework of the existing institutions of higher education, to offer training in the field of vocational, scientific, technical and aerospace, as necessary. The curriculum of any such technical institute shall be complementary to the public junior college curriculum.

The Board is also required to establish rules and regulations for the accreditation of all schools of nursing in the state of Mississippi insofar as these accreditations permit the students

(Mississippi)

who graduate from any and all schools to take the state examination to become registered nurses, or for students now enrolled to participate in student nurse scholarship programs. The Board is further required by law to arrange with hospitals, junior and senior colleges, and hospital schools of nursing, for the financial support of programs of nursing education.

Missouri Commission on Higher Education

The Missouri Commission on Higher Education consists of ten members, appointed by the governor, six of whom, known as lay members, shall be appointed with the advice and consent of the senate. No more than three of these six may be members of the same political party, no two of whom shall be from the same congressional district -- no more than two shall be graduates of the same college within the state of Missouri, no one of whom shall be engaged as a professional educator, while serving as a member of the governing board of any institution of higher education in the state -- all are appointed for terms of six years. Four of the ten members appointed by the governor, one of whom shall be serving as the chief administrator of the University of Missouri, one of whom shall be serving as the chief administrator of one of the five Missouri state colleges, or the Lincoln University, one of whom shall be serving as the chief administrator of a public junior college in Missouri, and one of whom shall be serving as the chief administrator of a private college or university in the state.

These four are appointed for a period of six years.

The duties of the Commission entail:

1. Conducting studies of population and enrollment trends affecting institutions of higher education in the state.

2. Identifying higher education needs in the state in terms of the requirements and potential of the young people and in terms

(Missouri)

of labor force requirements for the development of commerce and industry, and of professional and public service.

3. Developing arrangements for more effective and more economical specialization among institutions in types of education programs offered and students served, and for more effective coordination and mutual support among institutions in the utilization of facilities, faculty and other resources.

4. Designing a coordinated plan for higher education in the state (hereafter referred to as the coordinated plan) and for subregions in the state, which shall be based on the studies indicated above and on such others as may be deemed relevant by the Commission.

5. Review capital outlay requests and plans, and make recommendations in this area.

In addition, the Commission shall:

1. Request the governing board of all state-supported institutions of higher education, and of major private institutions to submit to the Commission any proposed policy changes which would create additional institutions of higher education, additional residence centers, or major additions in degree and certificate programs, and make pertinent recommendations relating thereto.

2. Recommend to the governing board of any institution of higher education in the state the development, consolidation, or elimination of programs, degree offerings, physical facilities or policy changes where that action is deemed by the Commission

(Missouri)

as in the best interests of the institutions themselves, and/or the general requirements of the state. Recommendations shall be submitted to the governing boards by twelve months preceding the term in which the action may take effect.

3. Recommend to the governing boards of state-supported institutions of higher education, including public junior colleges receiving state support, formulas to be employed in specifying plans for general operations, for development and expansion, and for requests for appropriations from the general assembly. Such recommendations will be submitted to the governing boards by April 1, of each year preceding a regular session of the general assembly.

The Commission shall submit a written report to each regular session of the legislature which shall include:

1. A statement of the initial coordinated plan for higher education in Missouri, together with the subsequent changes and implementations.

2. A review of recent changes in enrollments and programs among institutions of higher education in the state.

3. A review of requests and recommendations made by the Commission to institutions of higher education and of the college or university's response to such requests and recommendations, including noncompliance therewith.

4. The Commission's recommendations for development and coordination in state-supported higher education in the forthcoming biennium, within the context of the long-range coordinated plan.

(Missouri)

5. The Commission's budget recommendations for each state-supported college or university for the forthcoming biennium.

The Commission may also serve as the official state agency to plan for and define and recommend policies for the allocation of federal funds, to be received and allocated through an official state agency.

To apply for, receive and utilize funds available from private non-profit foundations and from federal resources for research on higher education, and to subcontract for research and planning from individuals, colleges, universities, and non-profit organizations.

The Missouri Advisory Council to the Commission on Higher Education shall be appointed by the Commission:

1. Presidents of the governing boards of the University of Missouri, Lincoln University, and the five Missouri State Colleges.

2. The chief administrator of the Lincoln University, provided that he is not serving as a member of the Commission.

3. The chief administrator of the five Missouri state colleges except for an administrator who may be serving as a member of the Commission.

4. The chief administrator of the Rolla campus of the University of Missouri and of any other University of Missouri campus which is geographically distinct from the main campus and which has a full-time equivalent enrollment of three thousand or more.

5. The state commissioner of education.

(Missouri)

If any of the principals are unable to serve, they may designate persons to serve as their representatives provided that no alternate may be professionally engaged as an educator.

Additional members to the Advisory Council shall be appointed by the Commission provided that none of these additional members shall be serving the same colleges or universities as that served by any other member of the Commission or the Advisory Council.

1. The president or some other member of the governing board of a public junior college in the state.

2. The chief administrator of a public junior college in the state.

3. Two presidents or other members of the governing boards of private colleges or universities in the state.

4. Two chief administrators of private colleges or universities in the state.

5. One member, who is over 50 years of age, and who is not associated directly or indirectly with the administration or alumni association of any institution of the state of Missouri, who shall represent the taxpayer and shall be referred to as the public member.

Montana State Board of Education

The State Board of Education consists of eleven members of which the governor, the attorney general, and superintendent of public instruction are ex officio members. The eight other members are appointed by the governor, with the advice and consent of the serate for eight-year terms, with the first and second senatorial districts being represented by four each, and not more than four of whom shall be from the same political party.

The State Board of Education serves as the Regents of the University of Montana, and as such has supervision and control over the University of Montana and its several branches; the Montana State University, the School of Mines, Western Montana College, Eastern Montana College, and Northern Montana College. In addition, the Board has jurisdiction over the State Vocational School for Girls, the State Orphans Home, the State Industrial School, the State Training School, and the schools for the deaf and blind.

In addition, the State Board of Education shall:

1. Exercise general control and supervision of the units of the university system which is one university.

2. Adopt rules and regulations, not inconsistent with the constitution and the laws of the state, for its own government, and proper and necessary for the execution of the powers and duties conferred upon it by law.

3. Provide, subject to the laws of the state, rules and regulations for the government of the affairs of the state educa-

(Montana)

tional institutions named.

4. Grant diplomas to the graduates of the system, upon the recommendation of the faculties, and may confer honorary degrees upon persons, other than graduates, upon the recommendation of the faculty of each institution.

5. Adopt and use in the authentication of its acts, an official seal.

6. Keep a record of its proceedings.

7. Make an annual report on or before the first day of January in each year, which may be printed under the direction of the state board of examiners.

8. Have, when not otherwise provided by law, control of all books, records, building, grounds, and other property of the university system.

9. Receive from the State Board of Land Commissioners, or other boards, or persons, or from the government of the United States, any and all funds, incomes, and other property to which any of said institutions may be entitled, and to use and appropriate the same for the specific purpose of the grant or donation, and none other.

10. Have general control of all receipts and disbursements of the system.

11. Appoint a president, faculty and staff for each institution of the system, and fix their compensation.

12. Appoint an executive secretary of the system and fix his term of office and salary, and prescribe generally his duties.

(Montana)

The executive secretary shall not be a member of the Board, but shall serve as the secretary for the Regents.

13. Appoint every two years a budget committee composed of four members selected from the appointive members of the Regents whose duties shall be to review the budget requests presented by the units of the system and transmit such requests with recommendations to the Regents. (Separate appropriations are made.)

14. Confer upon the executive board of the units of the system such authority as may be deemed expedient relating to the immediate control, and management, other than financial, or the selection of teachers and employees.

15. Confer upon the president and faculty authority relating to the immediate control and management (other than financial) and the selection of teachers and employees.

16. Prevent unnecessary duplication of courses at the units of the system.

17. Investigate the needs of the units of the system, through a visit by each member of the Regents to each unit, at least once annually.

18. Appoint the director of the state bureau of mines and geology, who is designated as the State Geologist.

19. Supervise and control the agricultural experiment station.

20. Adopt a seal.

21. Supervise community college districts; appoint a coordinator of community college districts; formulate and implement uniform policies concerning budgeting financial and student

(Montana)

accounting; establish entrance requirements; approve all curriculum offerings; require each community college to seek accreditation; prohibit any and all community colleges from granting baccalaureate degrees; recommend to the legislature for approval the establishment of any new community college district; and otherwise manage their affairs.

Each unit of the system has a local executive committee consisting of three members, appointed by the governor, with the advice and consent of the Regents. At least two members of the executive committee shall reside in the county in which the institution is located. The president of a unit of the system is ineligible for appointment to the local executive committee.

The executive committee members are appointed for terms of three years each.

The executive committee is required by law to meet at least quarterly. Each executive committee shall, prior to the end of the fiscal year, make a detailed statement of all transactions and conditions of the institutions, including the number of teachers, professors and employees, with the salary or wages paid to each, and a detailed statement of all expenses and disbursements of such institution, which report shall contain any additional information required by the Regents and the State Board of Examiners.

The State Board of Education, pursuant to the terms of appropriations of the state legislature or of congress, or of gifts of donors, shall determine the need for all expenditures and control the purposes for which all funds of said institutions

(Montana)

shall be expended. The State Board of Examiners and the Regents have authority to confer upon the executive committee of such institution power and authority to contract for current expenses in auditing, paying reported bills, for salaries and other expenses in connection with said institution, as may be deemed desirable by the State Board of Examiners and the Regents.

Nebraska

The State of Nebraska does not have a Board of Higher Education.

University of Nevada Board of Regents

The University of Nevada System was established in 1968 by the Board of Regents. The System consists of four divisions: University of Nevada, Reno; University of Nevada, Las Vegas; the Desert Research Institute and the Community College Division. The universities are headed by presidents and the Desert Research Institute and Community College Division by directors, all of whom report to the Board of Regents through the chancellor who is the executive officer of the Board.

The Board of Regents consists of eleven members elected on a non-partisan ballot from three geographical districts for four-year terms. District One, Washoe County (Reno), has three members; District Two, Clark County (Las Vegas), has five members; and District Three (the other 15 counties), has three members. There are no ex-officio members of the Board; however, the officers of the university (i.e., chancellor, two presidents, two directors, and legal counsel) sit with the Board at all meetings. In addition, the five faculty senate chairmen and the student body presidents of all instructional institutions attend all Board meetings and have special seating arrangements in order that they might be easily consulted by the Board.

Appropriations by the legislature are for specific institutions and program areas but the appropriation is made to the Board of Regents which has responsibility for development of

(Nevada)

fiscal work programs based on appropriation and authorized expenditures. All capital budgeting is orginated by the divisions and subject to approval by the Board. A ten-year budget and academic plan is up dated every two years and filed with the legislature.

No academic program may be instituted without approval of the Board of Regents. A formalized submission technique for consideration of academic programs is used and, even after approval of a new program, it is subject to specific approval when fiscal work programs are developed.

New Hampshire Board of Trustees of the University System

The New Hampshire Board of Trustees of the University System is charged with the general government of the college level state-supported education in the state.

The Board is composed of twenty-two members, six of whom are ex-officio -- the governor of the state, the commissioner of agriculture, the commissioner of education, the president of the University of New Hampshire, the president of the Plymouth State College, and the president of the Keene State College; plus twelve citizen trustees appointed by the governor with the advice and consent of the legislature for terms of four years -- two alumni of the New Hampshire College of Agriculture and Mechanic Arts, and four alumni of the University of New Hampshire; one alumnus of the Plymouth State College; one alumnus of the Keene State College. At all times, two members of the Board shall be farmers. Both political parties shall be represented in the membership. While twelve members constitute a quorum, not less than fourteen affirmative votes are required to elect a president of a college or a university.

The Trustees shall have the management and control of all property and affairs of the state-supported institutions of higher education, including the power to cease operating these institutions without legislative authority. In addition, the Board shall have the following powers and duties:

(New Hampshire)

1. To accept legacies and other gifts to or for the benefit of the university or any of its divisions or departments.

2. To employ teachers or faculty of instruction and such other persons as may be necessary to carry out the purposes for which the university and any of its divisions or departments have been created, and prescribe their duties.

3. To acquire water by purchase, development or otherwise and to construct reservoirs or water towers, erect pumping machinery, lay water mains and pipes, install gates, valves, and hydrants.

4. To furnish and sell water to manufacturers, private corporations and individuals for fire protection, manufacturing and domestic use, and collect payment or rentals for the same.

5. To construct and maintain sewers, culverts, conduits and pipes, with all necessary inlets and appliances for surface, under surface and sewage drainage for the health, comfort and convenience of the inhabitants and the sanitary improvement of the town of Durham, and fix and regulate the price of connection therewith to corporations, firms and individuals.

6. To enter into agreements and contracts with other colleges and universities for the purpose of further education of any qualified New Hampshire student in the fields of study not provided for in the curricula of the state college of agriculture or the university, or any of its departments or divisions.

7. To appoint a president of the university, a president

of Keene State College, and a president of Plymouth State College, and to appoint such other administrative officers of each such institution and fix the duties and the compensation of all such officers; said presidents shall be entitled to maintenance in addition to salaries.

8. To contract with any city or town in this state for the maintenance of practice schools therein in connection with its teacher-trainees and to provide for the payment of such portion of the compensation of the supervising teachers employed in said practice schools as it may deem just and equitable.

9. To authorize the retention by the Keene State College or the Plymouth State College of the income received and due from all sources, including bequests, trusts, income from bequests and trusts, student fees and tuition charges, rents, sales and any other income from whatever source derived, and to authorize the use thereof in such manner as the Trustees may determine or as may be provided by law or by the conditions incident to the trusts, gifts and bequests involved.

In addition, the trustees are authorized to maintain housing facilities and to collect rent therefrom in an amount sufficient to amortize the debt. The Trustees are also authorized to establish and charge a rental fee for the use of the snack bar and merchandise sold from the bookstore at Keene State College at a rate sufficient to amortize the investment.

(New Hampshire)

The Trustees shall appoint a faculty of both administration and instruction, prescribe their duties and confer on them such powers as are necessary for the immediate government and management of the institution.

The governor, the treasurer of the university and three members of the Board of Trustees, selected by the Board itself, shall constitute a finance committee who may make such changes from time to time in the investment of the funds of the institution as its interest may, in their judgment, require.

In addition to the New Hampshire Board of Trustees, there is a Coordinating Board of Advanced Education and Accreditation composed of eleven members: The commissioner of education, the president of the University of New Hampshire, the president of Keene State College, the President of Plymouth State College, the chairman of the State Board of Education or his representative, ex officio, and six members appointed by the governor, three of whom shall be educators from one of the private institutions, for terms of five years.

The function of this Board is to work in an advisory capacity only toward coordinating the activities of higher education in the state, including community colleges, and to work with the New Hampshire members of the New England Board of Higher Education insofar as possible. It shall also have responsibility for continuing the evaluation of institutions of higher education that wish to issue diplomas and grant degrees and make appropriate recommendations to the legislature.

New Jersey Board of Higher Education

The New Jersey Department of Higher Education consisting of the Board of Higher Education, a chancellor, and the necessary divisions, established July 1, 1967, has jurisdiction over all state-supported higher education, including Rutgers, the State University; the Newark College of Engineering; the College of Medicine and Dentistry of New Jersey; the eight state colleges; the community colleges, and any other state-supported institutions established later, as well as over the private institutions of higher education.

The Board is composed of sixteen members, plus two ex officio members without vote (the chancellor, who is the board's executive officer, and the state commissioner of education). The sixteen members are: the chairman of the Board of Governors of Rutgers, the State University; the chairman of the Board of Trustees of Newark College of Engineering; the chairman of the Council of State Colleges; the chairman of the Council of Community Colleges; the president of the State Board of Education; the chairman of the Board of Trustees of the College of Medicine and Dentistry of New Jersey; one representative of the private colleges of New Jersey designated by the Association of Independent Colleges and Universities, with the approval of the governor; and nine citizens -- two of whom shall be women, appointed by the governor, with the advice and consent of the senate, without regard to political belief or affiliation, for terms of six years.

(New Jersey)

The general charge to the Board of Higher Education is:

To advance long range planning for the system of higher education as a whole in the state; establish general policy for the governance for the separate institutions; coordinate the activities of the individual institutions which taken together make up the system of higher education in New Jersey; and maintain general financial oversight of the state system of higher education.

The Board does not administer the individual institutions of higher education, whose administration is specifically reserved to each of such institutions.

In more detail the Board of Higher Education:

1. Conducts research on higher educational needs.

2. Develops and maintains a comprehensive master plan which shall be long range in nature and be regularly revised and updated.

3. Establishes new colleges, schools, units, divisions, institutes, departments, branches, campuses, as required by the master plan, provided that provision is made therefor in the annual or a supplemental or special appropriation act of the legislature or otherwise.

4. Establishes minimum admission standards for all public institutions of higher education, except that nothing in this act shall be construed to prevent individual institutions from establishing higher minimum admission requirements.

(New Jersey)

5. Establishes minimum standards for all public institutions of higher education for degree granting, approve new programs and degrees and approve discontinuance of degrees and educational programs as required. Nothing, however, in this act prevents individual institutions from establishing higher minimum standards for degree granting programs. As used in this subparagraph "program" means areas or fields in which degrees or non-degree certificates might be granted and does not include individual courses nor course content nor does it include the course composition of areas or fields already in existence.

6. Receives all budget requests from the institutions, coordinates and balances such requests, and submits a combined request for appropriations annually to the governor.

7. Serves as the agency of communication with the federal government on public funds available to the state for higher education, and receives and recommends the disbursement of such funds by the state.

8. Sets policy on salary and fringe benefits, and establishes general personnel policies for the public institutions of higher education.

9. Coordinates with the State Board of Education and the commissioner to advance public education at all levels.

10. Encourages harmonious and cooperative relationships between public and private institutions of higher education.

11. Reviews periodically existing programs of instruction,

(New Jersey)

research and public service in the public institutions of higher education, and advises them of desirable changes.

12. Informs the governor, the legislature, and the public of the needs and accomplishments, both qualitative and quantitative, of public higher education in New Jersey through published reports, releases, conferences, and other means.

13. Licenses institutions of higher education.

14. Approves the basis or conditions for conferring degrees.

15. Exercises enforcement powers.

16. Has the power to issue subpoenas compelling the attendance of witnesses and the production of books, papers, and records in any part of the state before it or before any of its committees, the chancellor, or any of his assistants.

17. Requires from institutions of higher education such reports as may be necessary to enable the Board to perform the duties imposed upon it by statutes.

18. Recommends to the governor and the legislature such recommendations as deemed necessary with regard to appropriations that may be required for services, lands, buildings, and equipment to be furnished by institutions of higher education other than the State University of New Jersey and makes contracts in behalf of the state with such institutions in accordance with legislative appropriations; provided, however, that no disbursements of moneys so appropriated shall be made to any such institution or institutions of higher education utilized by the state

for the purpose of public higher education, except on recommendation of the Board; and the Board oversees the application of the money for such purposes.

19. Exercises general visitorial powers of supervision and control over such institutions of higher education as may be utilized by the state. Its general visitorial powers of supervision and control are hereby defined as visiting such institutions of higher education to examine into their manner of conducting their affairs and to enforce an observance of the laws of the state.

20. Fixes and determines tuition rates and other fees to be paid by students at the state colleges.

21. Adopts bylaws; enforces, alters and repeals rules for its own government and for implementing and carrying out this act.

The chief executive officer and administrator of the Department of Higher Education is known as the chancellor. He is appointed by the Board of Higher Education, subject to the approval of the governor for a five-year term. The chancellor:

1. Enforces all rules and regulations prescribed by the Board and administers the work of the department.

2. Appoints and removes officers and other personnel employed within the department, subject to stated provisions.

3. Performs, exercises and discharges the functions, powers and duties of the department through such divisions as may be established by this act or otherwise by law.

(New Jersey)

4. Organizes the work of the department in such divisions, not inconsistent with the provisions of this act, and in such bureaus and other organizational units as he may determine to be necessary for efficient and effective operation.

5. Adopts, issues and promulgates, in the name of the department, such rules and regulations as may be authorized by law.

6. Formulates and adopts rules and regulations for the efficient conduct of the work and general administration of the department, its officers and employees.

7. Makes an annual report to the governor and to the legislature of the department's operations, and renders such other reports as the governor requests or as may be required by law.

8. Coordinates the activities of the department, and the several divisions and agencies therein, in a manner designed to eliminate overlapping and duplicating functions.

9. Integrates within the department, so far as practicable, all staff services of the department and of the several divisions and other agencies therein.

10. Maintains suitable headquarters for the department and such other quarters within the state as he shall deem necessary to the proper functioning of the department.

11. Performs such other functions as may be prescribed in this act or by any other law.

The Department also:

(New Jersey)

1. Assists in the coordination of state and federal activities relating to higher education.

2. Advises the governor on the affairs and problems of higher education and recommends to the governor proposed legislation pertaining thereto.

3. Stimulates programs relating to higher education through publicity, education, guidance and technical assistance concerning federal and state programs.

4. Encourages cooperative programs by institutions of higher education.

5. Maintains an inventory of data and information and acts as a clearing house and referral agency for information on state and federal services and programs.

The Department, or any of the divisions established hereunder, may, subject to the approval of the governor and the Board, apply for and accept grants from the federal government or any agency thereof, or from any foundations, corporations, association or individual, and may comply with the terms, conditions and limitations thereof, for any of the purposes of the Department, or of such division, as the case may be, upon warrant of the director of the division of budget and accounting and approved by the chancellor.

State colleges shall be maintained for the purpose of providing higher education in the liberal arts and sciences and various professional areas including the science of education and the art of teaching at such places as may be provided by law. The names of the colleges shall be designated by the Board.

(New Jersey)

The legislature hereby finds that it is in the best interest of the state that the state colleges shall be and continue to be given a higher degree of self government and that the government and conduct of the colleges shall be free of partisanship.

The government, control, management, administration, and conduct of each of the colleges shall be vested in the board of trustees of such college.

There is a board of trustees for each state college consisting of nine citizens of the state, not more than three of whom shall reside in any one county and of whom at least two shall be women. The Board of Higher Education, subject to the approval of the governor, appoints the members of each board of trustees. Any member of a board of trustees may be removed by the governor for cause upon notice and opportunity to be heard. The term of office of appointed members, except for the first appointment, is six years. Each member serves until his successor has been appointed and qualified and vacancies are filled in the same manner as the original appointment for the remainder of the unexpired term. Members serve without compensation but are entitled to reimbursement for reasonable and necessary expenses.

Each board of trustees meets during the second week of September and at such other times and places as it designates. Each board of trustees organizes annually at its regular September meeting by electing a chairman, vice-chairman and such other officers as determined. Such officers serve until the following

(New Jersey)

September meeting and until their successors are elected and qualified. Vacancies in such offices are filled in the same manner for the unexpired term only.

The board of trustees of a state college, within the general policies and guidelines set by the Board of Higher Education, has general supervision over and is vested with the conduct of the college. Within the general policies and guidelines set by the Board of Higher Education, the trustees:

1. Adopt and use a corporate seal.

2. Determine the educational curriculum and program of the college.

3. Determine policies for the organization, administration and development of the college.

4. Study the educational and financial needs of the college; annually acquaint the governor and the legislature with the condition of the college; and prepare and (after concurrence by and jointly with the Board of Higher Education) present the annual budget to the governor and the legislature, in accordance with law.

5. Direct and control the expenditures of the college in accordance with the provisions of the budget and the appropriations act of the legislature, and funds received from other sources, in accordance with the terms of applicable trusts, gifts, bequests, or other special provisions.

6. With the approval of the Board of Higher Education, appoint and fix the compensation of a president of the college who is the executive officer of the college and serves at the pleasure of the board of trustees.

(New Jersey)

7. Appoint such deans and other members of the academic, administrative and teaching staffs as shall be required and fix their compensation and terms of employment in accordance with salary policies adopted by the Board of Higher Education; prescribe qualifications for the various classifications and limit the percentage of the educational staff that may be in any given classification.

8. Appoint, remove, promote and transfer such other officers, agents, or employees as may be required for carrying out the purposes of the college and assign their duties, determine their salaries and prescribe qualifications for all positions.

9. Grant diplomas, certificates or degrees.

10. Enter into contracts and agreements with the state or any of its political subdivisions or with the United States, or with any public body, department or other agency of the state, of the United States or with any individual, firm, or corporation deemed necessary or advisable by the Board for carrying out the purposes of the college.

11. Purchase lands, buildings, equipment, materials and supplies; employ architects, engineers and other persons desired in the planning of buildings, equipment and facilities; secure bids, enter into contracts for and supervise the construction of such buildings, equipment and facilities.

12. Adopt, after consultation with the president and faculty, bylaws and promulgate such rules, regulations and orders, not inconsistent with the provisions of this act that are necessary

(New Jersey)

and proper for the administration and operation of the college and carrying out of its purposes.

The board of trustees of a state college, in addition to the other powers and duties provided herein and within the general policies and guidelines set by the Board of Higher Education, exercise the powers, rights and privileges that are incident to the proper government, conduct and management of the college, and control its properties and funds; and such powers granted to the college or the board or reasonably implied, are exercised without recourse or reference to any department or agency of the state, except as otherwise provided by this act or applicable law.

The president of a state college is responsible to its board of trustees and has such powers as are requisite, for the executive management and conduct of the college in all departments, branches, and divisions, and for the execution and enforcement of the bylaws, rules, regulations, and orders governing the management, conduct and administration of the college.

The Department of Higher Education has within its structure a Council of State Colleges, consisting of the presidents and chairmen of the board of trustees of the state colleges. The chancellor is an ex officio member without vote.

Under the guidance of the Board of Higher Education and with the assistance from its staff, the Council:

1. Fosters communication and cooperation among the state colleges and through its chairman, provides them collective representation on the Board of Higher Education.

(New Jersey)

2. Guides and stimulates effective planning and program development, within the general policies and guidelines set by the Board of Higher Education, by the several state colleges.

3. Ensures diversity of development among the several state colleges in ways which are responsive to particular needs in the several parts of the state.

4. Seeks acceptable and effective lines of development in admissions policy, academic standards, programs, financing, and community relations in the several state colleges.

5. Advises the Board of Higher Education in carrying out its duties and responsibilities with regard to the state colleges, and

6. Studies the need for, and recommends to the Board of Higher Education, when required , the establishment of new state colleges and their location.

The Department of Higher Education also contains within its structure a Council of Community Colleges consisting of the presidents and chairmen of the boards of trustees of the several colleges. Under the guidance of the Board of Higher Education and with assistance from its staff, the Council constitutes a resource center to aid the individual colleges in planning, serving as a clearing house for information, and providing continuing field services. The Council acts as an advisory body to the Board of Higher Education in carrying out its duties and responsibilities related to the community colleges.

(New Jersey)

The New Jersey Education Coordinating Council consists of six members: the president of the State Board of Education, the chairman of the State Board of Higher Education, the commissioner of education, the chancellor of the Department of Higher Education, and one citizen member of the State Board of Education, and one citizen member of the State Board of Higher Education selected by their respective boards for one-year terms.

The Council:

1. Reviews and recommends programs and priorities to best meet the total educational needs of the state.

2. Reviews budgets of the departments of education and higher education and makes fiscal recommendations to the State Board of Education and to the State Board of Higher Education.

New Mexico Board of Educational Finance

The Board of Educational Finance is charged with responsibility for dealing with the problems of finance of the higher educational institutions in the state.

The Board shall be concerned with adequate financing of each of the said institutions, and with the equitable distribution of available funds among them.

The Board shall receive, adjust, and approve the budget submitted by the several institutions prior to the submission of these budgets to the budget officers of the state, and shall exercise such other powers as may be hereafter granted. (Separate appropriations.)

The Board of Educational Finance is also empowered to receive and administer any funds coming from congress or agencies of the federal government.

The Board of Educational Finance is specifically prohibited from substituting for public funds any gift, donation, private endowment or other gratuity received or enjoyed by the state institutions.

The Board consists of eleven members, not more than six of whom are members of the same political party, appointed by the governor, one from each of the eleven judicial districts for terms of six years; change of residence of a board member to a place outside the judicial district from which he was appointed automatically terminates his membership.

The Regents of the University of the State of New York

The corporation created in 1784, under the name "The Regents of the University of the State of New York," is now carried on under the name of "The University of the State of New York."

The Regents are elected for terms of fifteen years by the legislature on joint ballots of the two houses.

There shall always be four more Regents than the number of judicial districts in the state and never less than nine Regents. There shall always be one Regent from each judicial district.

No Regent may be a trustee, president, principal, or other officer of an institution belonging to the University.

No person shall serve as Regent after the first day of April next succeeding his seventieth birthday.

The Regents serve as the governing board of the University of the State of New York which includes all public and private educational institutions located within the state. In addition, there are affiliated museums, libraries, and other educational installations designated by the Regents as constituent units of the university.

Exclusive of the functions of the Regents in relation to the first twelve grades of the public schools, the Regents also exercise legislative functions concerning the educational functions of the state and its subdivisions, determine its policies, establish the rules and regulations for placing in effect the laws and policies of the state.

(New York)

The Regents may contract with private institutions of higher education for instruction and research in certain areas or programs.

No action of the Board of Regents, however, shall modify the course of training in religious doctrine or theological instruction as given in any institution without the approval of its governing board.

The Regents also supervise through appropriate professional boards, entrance to, licensure, and practicing of the learned professions, except in law, plus technical personnel such as shorthand reporters, surveyors, and the like.

The Regents charter all educational institutions within the state (including public libraries), and grant to these institutions the right to confer degrees and otherwise exercise general supervision over such agencies. Each such institution has its own board of trustees -- subject only to broad general regental policies. Once every four years (the latest 1968) the Regents shall review the proposed plans and recommendations of both the State University of New York and the Board of Higher Education of the city of New York, and upon approval by the Regents shall be embodied in the Regents plan for the expansion and development of higher education for the state of New York.

Such Regents plan shall include the plan and recommendations proposed by the State University Trustees and the plan and recommendations proposed by the Board of Higher Education in the city of New York, and may include plans with respect to other matters not comprehended within the plan of the

(New York)

state and city universities, including but not limited to improving institutional management and resources, instruction and guidance programs, financial assistance to students and extension of educational opportunities through library resources and television. In the development of such plans, due recognition shall be given to that historical development of higher education in the state which has been accomplished through the establishment and encouragement of private institutions. In determining the need for additional educational facilities in a particular area, the plans and facilities of existing public and private institutions shall be fully evaluated and considered.

During the calendar year 1964 and each fourth year thereafter, the Regents shall evaluate all available information with respect to the plans and facilities of private institutions and shall review and act upon the proposed plan and recommendations of the State University Trustees and upon the proposed plan and recommendations of the Board of Higher Education in the city of New York and incorporate such information, recommendations and each of the component plans so acted upon into a tentative Regents plan or general revision thereof for the expansion and development of higher education in the state. Copies of such tentative Regents plan or general revision thereof, as the case may be shall be made available to the Trustees of the State University, the Board of Higher Education in the city of New York and the governing boards of all other institutions of higher education admitted to the University of the State of New York. Thereafter, after giving due

(New York)

notice, the Regents shall conduct one or more hearings on such tentative Regents plan or general revision thereof.

The Regents shall transmit their plan or general revision thereof for the expansion and development of higher education in the state to the governor and the legislature on or before the first day of December, 1964 and each fourth year thereafter, and such plan or general revision thereof shall become effective upon its approval by the governor.

Any modification recommended by the State University Trustees or by the Board of Higher Education in the city of New York to their respective plan, shall be reviewed by the Regents who may hold one or more hearings thereon after giving due notice thereof. As approved by the Regents, such modifications shall be made a part of the respective plans of the state university and of the city university and shall, together with any modifications the Regents may make to that portion of their plan for the expansion and development of higher education in the state not comprehended in the plans of the state and city universities, be transmitted to the governor and the legislature, all of which shall then become effective upon approval by the governor as modifications of the Regents plan. By the first day of November in each of the three years following the promulgation of the Regents plan or general revision thereof, the Regents shall summarize and report to the governor and the legislature any modifications made pursuant to

(New York)

this subdivision and shall include in such report a statement on the progress made in implementing the Regents plan and their general recommendations with respect to higher education.

North Carolina Board of Higher Education*

The Board of Higher Education consists of twenty-two members; one of whom is a member of the State Board of Education appointed by the governor; eight are appointed by the governor representing the public at large, none of whom are officers or employees, or trustees of institutions of higher education; four of whom are selected by the boards of trustees of state-supported senior colleges; two are selected by the board of trustees of the University, provided no trustee member is a member of the general assembly. The governor serves as member ex officio and chairman of the Board. The six persons chairing legislative committees on appropriations, finance, and higher education in the senate and house serve as ex officio members.

The trustees of the four senior colleges select one of their members to serve on the Board for a two year term, selected by the governor in such order of rotation as he chooses, every two years, provided the member is rotated among all institutions on an equal basis.

Members of the Board, other than those selected by the trustees of the institutions and the ex officio members are appointed by the governor for six year terms subject to confirmation by the senate and the house.

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*The general assembly in North Carolina has before it several bills, any of which, if passed, would make significant changes in the governance of higher education in the state. These bills will receive legislative consideration in the fall of 1971. The current status in North Carolina, as of July 1, 1971, is portrayed above.

(North Carolina)

The Board has the following powers and duties:

1. Plan and coordinate the major functions and activities of higher education; allot the functions and activities of the institutions; approve or disapprove any new degree program or function recommended by the trustees of an institution; advise the governor and general assembly on higher education problems and policies.

2. Determine the types of degrees to be granted by each institution.

3. Arrange for such visits to the institutions as deemed necessary.

4. Prescribe uniform statistical procedures and policies.

5. Require each institution to conform to the functions and activities assigned to it, unless on appeal by the institution, the departure is approved by the general assembly.

6. Receive and review institutional budget requests and check for consistency with functions and activities allocated by the Board, avoiding line by line review; advise the Budget Commission of any inconsistent requests.

7. Receive and review institutional requests for transfers and changes between objects and items in the approved budgets for compatibility with allocated functions.

8. Make and enforce such regulations as are necessary and appropriate.

(North Carolina)

The Board prepares and publishes a biennial report to the governor, the general assembly, and the institutions, setting forth the progress, needs, and recommendations of the Board.

The Board appoints a Director of Higher Education to serve as the director of the state system of higher education.

The several boards of trustees of the institutions of higher education continue to exercise control of the institution, as provided by law, subject only to the Board of Higher Education within the limits of its jurisdictions.

North Dakota State Board of Higher Education

The State Board of Higher Education is composed of seven members, appointed by the governor with the advice and consent of the senate to serve seven-year terms.

When replacements are made the governor nominates to the senate from a panel of three names unanimously agreed to by the president of the North Dakota Education Association, the chief justice of the state supreme court, and the superintendent of public instruction.

No board may have more than one alumnus from any one state-supported institution within North Dakota.

No person employed in a state institution may serve on the Board, or be eligible for board service until two years beyond the point of termination of service.

The Board employs a state commissioner of higher education as its executive officer.

All state-supported institutions in North Dakota are administered by the Board. The general authority and powers of the Board are:

The State Board of Higher Education shall have full authority over the institutions under its control with the right to prescribe, limit, or modify the courses offered at the several institutions. In furtherance of its powers, the Board shall have the power to delegate to its employees details of the administration of the institutions under its control. The Board shall have authority to organize or reorganize, within constitutional statutory limi-

tations, the work of each institution under its control, and to do everything necessary and proper for the efficient and economical administration thereof.

The State Board of Higher Education shall prescribe for all of the institutions under its control standard systems of accounts and records and, biennially and within six months immediately preceding the regular session of the legislative assembly, shall make a report to the governor covering in detail the operations of the educational institutions under its control.

The heads of the several institutions under the control of the State Board of Higher Education shall submit to the Board budget requests for the biennial appropriations for said institutions respectively, and the Board shall consider the budgets and shall revise the same as in its judgment shall be for the best interests of the educational system of the state. Thereafter, the Board shall prepare and present to the state budget board and to the legislative assembly a single unified budget covering the needs of all of the institutions under its control. The appropriations for all of the institutions shall be contained in one legislative measure. (Separate appropriations.)

The State Board of Higher Education shall have the control of the expenditure of the funds belonging and allocated to the institutions under its control and also of those appropriated by the legislative assembly for such institutions; but funds appropriated by the legislative assembly and specifically designated

for any one or more of such institutions shall not be used for any other institution.

The specific powers and duties of the Board of Higher Education are:

1. To elect and remove the president or other faculty heads, and the professors, instructors, teachers, officers, and other employees of the several institutions under its control, and to fix their salaries within the limits of legislative appropriations therefor; and to fix the terms of office and to prescribe the duties thereof.

2. To have custody of the books, records, grounds, buildings, and all other property of such institutions, and to procure all necessary apparatus, instruments, and appurtenances for instruction in said schools within the limits of legislative appropriations therefor.

3. To adopt rules, regulations, and bylaws for the government of each of such institutions and of all the departments and branches thereof.

4. To determine the moral and educational qualifications of applicants for admission to the various courses of instruction and to prescribe rules, regulations, and bylaws for the admission of students, but no instruction, either sectarian in religion or partisan in politics, shall ever be allowed in any department of such institutions, and no sectarian or partisan test shall ever be allowed or exercised in the election of professors, teachers,

or other officers of the institutions, or in the admission of students, or for any purpose whatsoever.

5. To prescribe rules and regulations for the management of the libraries, cabinets, museums, laboratories, and all other property of the institutions under its control, and for the care and preservation thereof, with suitable penalties and forfeitures by way of damages for their violation, which may be collected by action in the name of the Board in any court having jurisdiction.

6. To prescribe the books or works to be used in the several courses of instruction, and to confer such degrees and to grant such certificates or diplomas for the work done as are usual or appropriate in similar institutions.

7. To confer upon the faculty, through bylaws, the power to suspend, or expel students for misconduct or for other causes prescribed in such bylaws.

8. To act in consultation with the president of each institution to minister to the needs and proper development of each institution in harmony with the best interests of the people of the state, and to improve higher and technical education in the state.

9. To coordinate and correlate the work in the different institutions to minister to the needs and proper development of each institution in harmony with the best interests of the people of the state, and to improve higher and technical education in the state.

10. To fix registration or matriculation fees and other

incidental fees to be paid by students in the various institutions under its control or in any department thereof when not otherwise provided by law.

11. To fix and charge fees for instruction furnished in the professional schools and colleges and for extra studies.

12. To make recommendations in regard to needed legislation for the institutions under its control.

In addition, the State Board of Higher Education is authorized to enter into agreements with institutions of higher education in other states, and subject to the limits of legislative appropriations, to make such expenditures as are necessary for the purpose of utilizing the educational facilities of such institutions for teaching North Dakota students those courses that are not offered by institutions of higher learning in this state.

In addition, the State Board of Higher Education is authorized to enter into agreements with other state institutions of higher learning for the acceptance of students from other states in North Dakota institutions of higher learning. (Compacts.)

Ohio Board of Regents

The Board of Regents consists of eleven members, nine appointed by the governor with the advice and consent of the senate for nine-year terms. No appointive member of the Regents may be a trustee, officer, or employee of any public or private college or university. Two additional ex officio members without vote are the chairman of the education committee of the senate, the chairman of the education committee of the house of representatives. No member of the Board of Regents may be a trustee, officer, or employee of a technical institute.

Neither the chancellor or any staff member or employee of the Board shall be a trustee, officer, or employee of a technical institute.

The Board of Regents of the state of Ohio is authorized to employ a chancellor to serve as the executive officer of the Board, responsible for the appointment of all employees or staff members serving under his direction and control. The chancellor shall not be a trustee, officer or employee of any public or private college while serving the Board.

The general powers and duties of the Board are:

1. Make studies of state policy in the field of higher education and formulate a master plan for higher education for the state, considering the needs of the people, the needs of the state, and the role of individual public and private institutions within the state in fulfilling these needs.

(Ohio)

2. Report annually to the governor and the general assembly on the findings from its studies and the master plan for higher education for the state.

3. Approve or disapprove the establishment of new branches or academic centers of state colleges and universities.

4. Approve or disapprove the establishment of state technical institutes or any other state institution of higher education.

5. Recommend the nature of the programs, undergraduate, graduate, professional, state financed research, and public services which should be offered by the state colleges, universities and other state assisted institutions of higher education in order to utilize to the best advantage their facilities and personnel.

6. Recommend to the state colleges, universities, and other state assisted institutions of higher education, programs which could be eliminated because they constitute unnecessary duplication, or for other good and sufficient cause.

7. Recommend to the state colleges, universities, and other state assisted institutions of higher education programs which should be added to their present programs.

8. Conduct studies for the state colleges, universities, and other state assisted institutions of higher education to assist them in making the best and most efficient use of their existing facilities and personnel.

(Ohio)

9. Make recommendations to the governor and general assembly concerning the development of state financed capital plans for higher education; the establishment of new state colleges, universities, and other state assisted institutions of higher education; and the establishment of new programs at the existing state colleges, universities, and other institutions of higher education.

10. Review the appropriation request of the public community colleges and the state colleges and universities and submit to the department of finance and to the chairmen of the finance committee of the house of representatives and of the senate, its recommendations in regard to the biennial higher education appropriation for the state, including appropriations for the individual state colleges and universities and public community colleges. The Board shall work in close cooperation with the director of finance in this respect and in all other matters concerning the expenditure of appropriated funds by state colleges, universities, and other institutions of higher education.

11. Seek the cooperation and advice of the officers and trustees of both public and private colleges, universities, and other institutions of higher education in the state in performing its duties and making its plans, studies, and recommendations.

12. Appoint advisory committees consisting of persons associated with public or private secondary schools, members of the State Board of Education, or personnel of the State Department of Education.

(Ohio)

13. Appoint advisory committees consisting of college and university personnel, or other persons knowledgeable in the field of higher education, or both, in order to obtain their advice and assistance in defining and suggesting solutions for the problems and needs of higher education in the state.

14. Approve or disapprove all new degrees and new degree programs at all state colleges, universities, and other state assisted institutions of higher education.

15. Regard campus disruption as a legal offense and be responsible for appointing referees to determine guilt.

16. Adopt such rules and regulations as are necessary to carry out its duties and responsibilities.

The Ohio Board of Regents shall approve or disapprove proposed official plans of community college districts, and issue or decline to issue charters for operations of community colleges. The Board shall approve an official plan, and issue a charter, only upon the following findings:

1. That the official plan and all past and proposed actions of the community college district are in conformity to law.

2. That the proposed community college will not unreasonably and wastefully duplicate existing educational services available to students and prospective students residing in the community college district.

(Ohio)

3. That there is reasonable prospect of adequate current operating revenue for the proposed community college from its proposed opening date of operation.

4. That the proposed lands and facilities of the community colleges will be adequate and efficient for the purposes of the proposed community college.

5. That the proposed curricular program defined as "arts and sciences" is the program for which there is substantial need in the territory of the district.

The employment and separation of individual personnel in a community college, and the establishing or abolishing of individual courses of instruction, shall not be subject to the specific and individual approval or disapproval of the Ohio Board of Regents, but shall occur in the discretion of the local management of such college within the limitations of law, the official plan, and the charter of such college.

The Ohio Board of Regents shall prepare a "state plan" and do all other things necessary for participation in federal acts relative to the construction of higher educational academic facilities or the implementation of the Higher Education Act of 1965, and succeeding congressional enactments.

The Board shall receive and disburse federal grants for the proper and efficient administration of the State Plan.

Certain restrictions are placed on institutions of higher education in Ohio in cooperating with the Board:

(Ohio)

1. Institutions which receive state assistance but are not supported primarily by the state shall provide an accounting of expenditures of state funds as requested by the Board.

2. No state institution shall establish a new branch or center without prior approval of the Board.

3. No state institution shall offer a new degree or establish a new degree program without prior approval of the Board.

4. Any state supported or state assisted institution not complying with a recommendation of the Board shall notify the Board in writing within 120 days, stating the reasons why it cannot comply.

5. All officers, trustees, and employees of all state supported or state assisted institutions shall cooperate with the Board in supplying information, advice and assistance when requested.

6. All persons associated with the Ohio public school system, the State Department of Education, and the Board of Education shall provide data as requested by the Board of Regents, to aid in the development of state higher education plans.

Oklahoma State Regents for Higher Education

The Oklahoma State Regents for Higher Education are vested with coordinating control of the entire state system of higher education, including all tax-supported institutions of higher education as well as the community junior colleges.

The Board is composed of nine members appointed by the governor with the advice and consent of the senate, for overlapping terms of nine years. None of the regents may be employees, staff members, or board members of any institution in Oklahoma.

No official of the state, or state employee shall be eligible to serve as a regent. Not more than four members shall be from the same profession or occupation. Not more than three graduates of any one institution in the state shall be eligible to serve at the same time. Not more than two members may be from the same congressional district at the time of appointment.

The Regents shall:

1. Prescribe standards of higher education applicable to each institution.

2. Determine the functions and courses of study at each of the institutions to conform to the standards prescribed.

3. Grant degrees and other forms of academic recognition for completion of prescribed courses in all institutions.

4. Recommend to the state legislature the budget allocations for each institution, and allocate funds to each institution from lump sum appropriations made to the Regents.

(Oklahoma)

5. Recommend to the legislature proposed fees for all institutions, and such fees shall be effective only within the limits prescribed by the legislature.

The Regents recommend standards for admission, retention and graduation for each institution in keeping with the assigned function and course of study. The Regents accept federal grants and funds and use these in accordance with federal requirements.

The Regents are expressly prohibited from recommending directly or indirectly to any member institution, official or governing board the employment of any person by such institution. Any violation of this prohibition shall be deemed as immediate cause of removal from office.

The Regents make such studies and resulting recommendations as need indicates regarding higher education in Oklahoma.

The Regents may coordinate private denominational and other institutions of higher education with the state system provided no state funds shall be allocated to these institutions.

The chancellor is the chief administrative officer of the Regents, with responsibilities:

1. To see that policies and programs of the State Regents are executed.

2. To gather information about the state system and make recommendations to the Regents.

3. To provide state level leadership for coordination of activities affecting all institutions in the Oklahoma state system of higher education.

(Oklahoma)

In addition to the Regents having coordinating control of the state-supported institutions, there are seven governing boards for:

1. The University of Oklahoma
2. The Oklahoma Agricultural and Mechanical Colleges
3. The Oklahoma Colleges
4. The Oklahoma College of Liberal Arts
5. The Northern Oklahoma College
6. The Oklahoma Military Academy
7. The eight community junior colleges

These governing boards have <u>administrative control</u> over their respective institutions.

With the functions and courses of study of each institution determined, standards of education established, and funds allocated to meet the needs to carry out functions, the governing boards assume the responsibility for the operation of their respective institutions with the state system.

The governing boards:

1. Determine management policy;
2. Employ personnel, fix their salaries and assign their duties;
3. Contract for other services needed;
4. Have custory of records;
5. Acquire and hold title to property; and
6. Assume general responsibility for the operation of the institution.

(Oklahoma)

Among specific areas of administrative control for which the governing board assumes responsibility in operating an institution:

1. General academic policy and administration
2. Student life
3. Budget administration
4. Planning and constructing buildings
5. Purchasing
6. Auxiliary activities, budgeting and administration including the issuance of bonds and administration of self-liquidating properties.

In addition, the governing board assumes responsibility through its president or chief administrative officer, for making recommendations to the coordinating board -- the State Regents -- regarding possible change in functions and programs of study, possible change of standards and budgetary needs for both general operation and capital improvements.

Oregon State Board of Higher Education

The nine directors (regents) are appointed by the governor with the consent of the senate for six-year terms. No director may serve if he is connected with any state institution of higher education under the State Board; not over five graduates of the state institutions in Oregon, and not more than two graduates from any one institution shall be members of the Board.

The powers of the Board are:

1. To control and manage the property of all state-supported institutions of higher education.

2. The Board has general powers regarding higher educational institutions:

(a) Appoint, employ presidents and staff, prescribe their tenure in office.

(b) Establish and collect fees for admission and tuition, and apply these fees to the payments of salaries and current expense of the institution.

(c) Confer degrees on recommendation of the faculties.

(d) Prescribe qualifications for admission to each separate institution, the general course of instruction, research, extension, educational, and other activities thereof. Enact rules and regulations for the government of the faculty, students, and employees.

(e) Maintain cultural and physical development services and facilities.

(Oregon)

3. The State Board of Higher Education is in charge of all relationships between the higher educational institutions and the state legislature. No official representing the separate institutions shall appear before the legislature, or any committee thereof, except upon the express written authority of the Board of Higher Education.

The Board has authority to levy charges for the use of buildings and shall maintain such charges at the level to make residence halls, dormitories, food service outlets, and related activities self-supporting and self-liquidating.

In addition, the Board collects from each regular student a building fee of $10 for each quarter. This income is used to maintain sinking funds for outstanding bonds, and to finance either student activity buildings or general use buildings. This $10 fee is in addition to tuition and other course and laboratory fees regularly charged.

4. The Board has power over the curricula and departments of each institution. The Board of Higher Education is charged with responsibility for visiting the university and other state-supported institutions inquiring as to the work offered and conducted, whenever and as often as deemed necessary.

The Board shall specifically determine, from time to time, what courses or departments in its judgment should not be duplicated in the several higher educational institutions. The Board may direct the elimination of duplicate work from any institution, and determine and define the courses of study and departments to be offered and conducted by each institution.

(Oregon)

The Board shall notify the governor of its determination and each institution affected shall conform thereto.

Any person may appear before the Board of Higher Education at any meeting for the purpose of laying before the Board data or arguments for maintaining or eliminating any duplicated course or department.

5. The Board is authorized to interchange faculty members with schools outside Oregon; when such exchange professorships are arranged, the Oregon faculty member continues to receive his salary from his home institution rather than the institution with which he works during the year of exchange. The visiting professor from another state is also to be paid by his home institution.

6. The State Board of Higher Education also has responsibility to serve, on request of any community or county, or joint planning area, to provide planning assistance including land use studies, urban renewal plans, technical services and otherwise rendering assistance upon any planning problem presented to it, through the Bureau of Governmental Research and Service located at the University of Oregon.

The Board is charged with the responsibility to control the use, distribution and disbursement of all funds, appropriations, and other monies provided for the support and maintenance of institutions, departments, or activites of higher education.

Appropriations are made to the State Board which makes appropriate allocations to the several institutions of higher education.

(Oregon)

The Board is authorized with the approval of the state treasury to sell such general obligation bonds of the state of Oregon as in the judgment of the Board may be necessary. The principal amount of bonds outstanding at any one time shall not exceed $75.0 million par value.

7. The Board may accept and use monies appropriated by the congress for purposes of higher education, also gifts or grants from federal government or private agencies.

8. The Board may, unless otherwise specified by law, deposit with the state treasurer any monies coming into its hands. Monies so deposited shall be credited by the state treasurer to a special checking account and may be disbursed by check or order of said Board upon the state treasurer.

Pennsylvania State Board of Education and the Council of Higher Education

The State Board of Education consists of seventeen members, appointed by the governor with the advice and consent of two-thirds of the members of the senate, for terms of six years.

Seven members of the State Board of Education serve as members of the Council of Higher Education (seven also serve as members of the Council of Basic Education and three serve as members-at-large).

None of the members serving at large, and not more than two members of each Council shall be employed in a school system, the Department of Public Instruction or by any educational institution. At least two members of each Council shall have had previous experience with technical education or training.

The superintendent of public instruction is the executive officer of the Board, with the privilege of attending meetings of the Board or either Council and speaking on any and all topics before these bodies.

The seven members of the State Board of Education appointed by the governor to serve on the Council of Higher Education shall have the power and duties to:

1. Develop a master plan for higher education in the commonwealth, including a system of community colleges as provided by law.

2. Review the annual budget request of institutions of higher education.

(Pennsylvania)

3. Develop standards for the approval of colleges and universities for the granting of certificates and degrees.

4. Develop standards for all higher education building projects involving the use of state funds or the funds of any commonwealth instrumentality.

5. Investigate programs, conduct research studies and formulate policy proposals in all areas pertaining to higher education in the commonwealth, including a system of community colleges and technical institutes as provided by law.

Rhode Island Board of Regents for Education

The Board of Regents for Education, a public corporation, consists of nine members, nominated to the governor by a committee of fifteen electors of the state, five appointed by the governor, five appointed by the lieutenant governor, and five appointed by the speaker of the house. No member of the nominating committee shall serve more than two terms of two years. Officers or employees in public education are not eligible for appointment thereto.

Within thirty days after receiving the report of the nominating committee, the governor shall select and appoint the nine members of the Board of Regents for staggered terms of four years. No member may serve longer than two terms.

The powers and duties of the Board of Regents are:

1. To create and implement a systematic program of information gathering, processing, and analysis addressed to every level, aspect and form of education in this state especially as that information relates to current and future educational needs so that current needs may be met with reasonable promptness and plans formulated to meet future needs as they arise.

2. To establish a master plan defining broad goals and objectives for all levels of education in the state; elementary, secondary and higher. These goals and objectives shall be expressed in terms of what men should know and be able to do as a result of their educational experience. The Regents shall continuously

(Rhode Island)

evaluate the efforts and results of education in the light of these objectives.

3. To formulate broad policy to implement the goals and objectives established by the Regents from time to time; to establish and enforce standards and to exercise general supervision over all public education in the state and over non-public education in the state as provided hereinafter in subsection 8 of this section.

4. To receive the appropriation from the legislature and makes allocations to the institutions.

5. To allocate and coordinate the various educational functions among the educational agencies of the state and local school districts and to promote cooperation among them so that maximum efficiency and economy shall be achieved.

6. To prepare and present annually to the state budget officer in accordance with the general laws of Rhode Island, a total state educational budget which shall include, but not be limited to, the budgets of the department of education, subordinate boards and agencies, the budget of state colleges, and state aid to local school districts.

7. To establish a department of education, to provide for its staffing and organization and to appoint a commissioner of education who shall serve at its pleasure as its chief executive officer.

8. To establish such other educational agencies or boards necessary or desirable for the conduct of any or all aspects of

education and to determine all powers and functions as well as composition of any such agencies or boards, and to dissolve them when their purpose has been fulfilled.

9. To exercise the authority and to perform the duties heretofore vested in the Board of Education with relation to non-public educational institutions, and such other laws affecting non-public education in the state.

10. To exercise all of the functions, powers and duties heretofore vested in the Board of Education, and the Department of Education, including but not limited to the following specific functions:

a. To establish the basic subjects and courses of study to be taught, and instructional standards required in the public elementary and secondary schools of the state.

b. To adopt standards and qualifications for the certification of teachers and to provide for the issuance of certificates.

c. To be responsible for the distribution of state school funds.

d. To establish standards for and to approve the design and construction of school buildings.

e. To set standards for school libraries and school library services.

f. To make recommendations relative to transportation of pupils to school, school bus routes, time schedules and other matters relating to pupil transportation; to certify that

(Rhode Island)

school bus routes and schedules and all contracts for pupil transportation conform with provisions of law and the rules and regulations of the Board.

g. To enforce the provisions of all laws relating to education.

h. To decide and determine appeals from decisions of the commissioner.

i. To prescribe forms for the use of local school committees and local officers when reporting to the Board.

j. To adopt and require standard accounting and auditing procedures for local school districts.

11. To exercise all the functions, powers, and duties heretofore vested in the board of trustees for state colleges.

12. To exercise all other power with relation to the entire field of education within the state, not specifically granted to any other department, board, or agency, and not incompatible with law, which said Board of Regents for Education may deem advisable.

13. To recommend to the general assembly, from time to time, changes in the size and number of the school districts within the state; and such other recommendations as deemed desirable.

The Regents shall meet at least twice each quarter in public session.

The Regents shall appoint a commissioner of education, who shall serve at the pleasure of the Regents, provided that his initial engagement shall be for a period of not more than three years.

(Rhode Island)

The Board of Regents shall establish, organize and supervise a Department of Education to perform such of the research and administrative functions and duties required of the Regents.

The Regents are assisted by a Regents Advisory Committee composed of one member appointed by the governor from each of the one hundred representative districts in the state.

South Carolina State Commission on Higher Education

The Commission of fourteen is composed of seven members appointed by the governor for terms of four years, plus seven ex officio members, the chairman of the Board, or his representative of each state-supported institution of higher learning, plus the chairman of the State College Board of Trustees, the governing body for the Francis Marion College, the College of Charleston, and any four-year institution created hereafter.

No trustee, officer or employee of any state-supported institution, nor the holder of any public elective office for which compensation is paid may be eligible for membership on the Commission. No more than two persons who have attended the same state institution are eligible to serve as members at the same time. (Not applicable to ex officio members.)

The Commission is charged with the responsibility of making studies of state institutions of higher learning relative to both long and short range programs which shall include:

1. The role of state-supported higher education in serving the needs of the state, and the role and participation of the individual institutions in the statewide program.

2. Enrollment trends, student costs, business management practices, accounting methods, operating results and needs and capital fund requirements.

3. The administrative setup and curriculum offerings of the several institutions and of the various departments, schools, institutes and services within each institution and the respective relationships to the services and offerings of other institutions.

(South Carolina)

4. Areas of state level coordination and cooperation with the objective of reducing duplication, increasing effectiveness and achieving economies, and eliminating sources of friction and misunderstanding.

5. Efforts to promote a clear understanding and unity and goodwill among the institutions of higher learning, both public and private, in the interests of serving the educational needs of the people of South Carolina on a state-wide level.

The Commission shall establish a Council of Presidents, consisting of the presidents of the state institutions of higher learning. The Presidents Council shall appoint a chairman and establish committees consisting of qualified personnel representing the various state-supported institutions, either upon request of the Commission or on its own initiative, to investigate, study and report on such subjects as: academic planning, business and financial coordination, library utilization and coordination.

The Commission shall make recommendations to the state budget and control board regarding policies, programs, curricula, facilities, administration and financing of all state-supported institutions as are deemed desirable.

The state budget and control board may refer to the Commission for study and report any requests of institutions of higher learning for new or additional appropriations for operating and other purposes, and for the establishment of new and expanded programs.

(South Carolina)

The Commission shall review the annual budgets of the state-supported institutions of higher learning and make recommendations to the state budget and control board and the general assembly as considered desirable and shall make further recommendations in the interest of improving higher education in the state.

No new programs shall be undertaken by any state-supported institution without the approval of the Commission or the general assembly.

South Dakota Board of Regents

The Board of Regents is composed of seven members, appointed by the governor, by and with the consent of the senate, for terms of six years.

The Regents shall be residents of different portions of the state, none of whom shall reside in the county in which any state educational institution is located, all of whom shall not be members of the same political party.

The control of the educational institutions of the state sustained wholly or in part by the state shall be the responsibility of the Regents.

The Regents employ a full-time Commissioner of Higher Education who serves as the executive officer for the Regents and has the power and authority to exercise on behalf of the Board all duties, powers, and responsibilities assigned to it. The Commissioner shall carry out the directives of the Board and shall be under its general jurisdiction and supervision.

The Commissioner shall be responsible for the maintenance of modern, uniform systems of accounting and record keeping at all institutions; the preparation of budgets for the Board and for all institutions under the Board; for the development and revision of a master plan for higher education including facilities; serving as the principal representative of the Board and the institutions before the governor, the budget director, and the legislature.

The legislative enactments provide for free tuition for war veterans, children and widows of deceased veterans, Indians, and blind residents. The legislature, however, appropriates annually

a sum of money to the Board of Regents to be used in paying the tuition of those students who are not charged by the institutions.

The Board of Regents is expressly prohibited from erecting any buildings or structures or maintaining or equipping such buildings without the specific approval of the legislature.

The Board may borrow money and issue revenue bonds; may accept gifts of personal property; the Board is the state agency in receiving and expending funds provided by the federal government.

With the approval of the governor and the commissioner of administration, the Regents are authorized to construct, complete, equip and furnish dormitories, dining halls, and housing for students and their families. To accomplish this purpose the Board is authorized to issue bonds, the fees charged for usage of dormitories and other food centers; and residence halls' facilities shall be maintained at sufficient level to meet current operating expenses and amortize the indebtedness over a period of time.

Tennessee Higher Education Commission

The Tennessee Higher Education Commission consists of nine members appointed by the governor for terms of nine years. Three members of the Commission shall reside in each of the three grand divisions of the state. No member shall serve beyond June 30 following his seventieth birthday. One-third of the Commission shall be members of the minor political party within the state. No Commission member may be an official or employee of the state, nor a trustee, officer or employee of a public college or university in Tennessee.

The Commission employs an executive director, defines his duties, and fixes his compensation.

The Commission is charged, on a continuing basis, to study the use of public funds for higher education; to analyze programs and needs in higher education; and such additional duties as directed by the general assembly or requested by the governor.

In the discharge of its duties the Commission:

1. Develops a master plan for the future development of higher education and makes recommendations to the governing boards of the several institutions, and to the governor and general assembly for implementation of the plan.

2. Develops policies, formulae, and guidelines for fair and equitable distribution of public funds among the institutions, for both capital outlay and operating expenses. Institutional requests for funds are reviewed by the Commission

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(Tennessee)

and transmitted to the governor, with recommendations for approval or modification.

3. Studies the need of all programs and divisions of the institution, with regard to their cost and relevance, and makes recommendations to the governing board of each institution in order to minimize duplication and foster cooperative programs.

4. Reviews, approves or disapproves, all proposed new degrees and degree programs.

5. Conducts a program of public information concerning higher education in the state.

6. Studies and makes determinations concerning all proposed new institutions, location, standards, functions, finance, and governance.

7. Submits a biennial report to the governor and general assembly.

The Commission may not deprive the governing boards of the institutions of any authority or powers now vested in them, except as specifically allocated to it by this Act.

160881

Texas Coordinating Board

The Texas Coordinating Board was established to provide leadership for the Texas higher education system, institutions and governing boards, in order that the state may achieve excellence through the efficient and effective utilization and concentration of all available resources and the elimination of costly duplication in program offerings, faculties, and physical plants.

The functions vested in the governing boards of institutions, not specifically delegated by the Board shall be performed by such governing boards. The coordinating function and other duties delegated to the Coordinating Board shall apply to all public institutions of higher education.

The Board is composed of eighteen members, appointed by the governor with the advice and consent of the senate, representative of all areas of the state, for terms of six years. No member of the Board shall be employed professionally for remuneration in the field of education during his term. The Board shall appoint a commissioner of higher education as its chief executive officer.

The Board represents the highest authority in the state in matters of public higher education, and shall define junior and senior colleges, universities and university systems. Nothing, however, shall be construed to authorize the Board to establish or create any university system or to alter the present university system by virtue of the constitution of the state.

(Texas)

The powers and responsibilities of the Coordinating Board as defined by legislative enactment are:

1. Develop and publish criteria to be used as a basis (a) for determining the need for changing the classification of any public institution of higher education, and (b) for determining the need for new public junior colleges, public senior colleges, universities or university systems.

2. Classify, and prescribe the role and scope for each public institution of higher education in Texas and make such changes in classification or role and scope of such institutions as it deems necessary.

3. Hear applications from the institutions for changes in classification or role and scope.

4. Review periodically all degree and certificate programs offered by the institutions of higher education to assure that they meet the present and future needs of the state.

5. Order the initiation, consolidation or elimination of degree or certificate programs where such action is in the best interests of the institutions themselves or the general requirements of the state of Texas, or when such action offers hope of achieving excellence by a concentration of available resources. No new department, school, degree program, or certificate program shall be added at any institution of higher education after the effective date of this act, except with specific prior approval of the Board.

(Texas)

6. Encourage and develop in cooperation with the state board of vocational education new certificate programs in technical and vocational education in institutions of higher education as the needs of technology and industry may demand and recommend the elimination of certificate programs for which a need no longer exists.

7. Develop and promulgate a basic core of general academic courses which, when offered at a junior college during the first two years of collegiate study, shall be freely transferable among all public institutions of higher education in Texas which are members of recognized accrediting agencies on the same basis as if the work had been taken at the receiving institution.

8. Make continuing studies of the needs of the state for research and for extension and public services and designate the institutions of higher education to perform research, public service and extension programs, including limitations of extension programs for credit to specific geographic areas.

9. Maintain an inventory of all institutional and programmatic research, extension, and public service activities being conducted by the various institutions, whether state-financed or not. Once a year, on dates prescribed by the Board, each institution of higher education shall report to the Board all research conducted at such institution during the last preceding year. All reports required by this paragraph shall be made subject to the limitations imposed by security regulations governing defense contracts for research .

(Texas)

10. Develop and promote one or more degree or certificate programs to the highest attainable quality at each institution of higher education for which there is marked promise of excellence.

11. In addition, Article III of the State Constitution adds the administration of the Texas Opportunity Plan, a direct program of state loans including the flotation of a $285,000,000 bond issue for this purpose, to the responsibility of the Board.

Each governing board shall submit to the Coordinating Board annually, a comprehensive list by department, division and school, of all courses, course description, prerequisites, etc., that will be required during the following academic year. The Board may order the deletion or consolidation of any such courses after giving due notice with reasons therefor, and after providing a hearing if one is requested by the governing boards.

Any order of the Board affecting the classification, role and scope and program of any institution of higher education shall be entered only (1) after a written factual report and recommendations from the commissioner of higher education covering the mater to be acted upon has been received by the Board and distributed to the governing board and administrative head of the affected institution, (2) after the question has been placed upon the agenda for a regularly scheduled quarterly meeting, and (3) after the governing board of the affected institution has had an opportunity to be heard. Notice of the Board's action shall be

given in writing to the governing board concerned not later than four months preceding the fall term in which the change is to take effect.

No funds appropriated to any institution of higher education shall be expended for any program which has been disapproved by the Board, unless said program is subsequently specifically approved by the legislature. No new department, school or degree or certificate program approved by the Board or its predecessor, the Texas Commission on Higher Education, shall be initiated by any institution of higher education after the effective date of this act until the Board shall make a written finding that the department, school or degree or certificate program is adequately financed by legislative appropriation, by funds allocated by the Board, and/or by funds from other sources. Any proposed statute which would establish an additional institution of higher education except a public junior college shall be submitted, either prior to introduction or by the standing committee considering same, to the Board for its opinion as to need of the state therefor, and the Board shall report its findings to the governor and the legislature, provided that a recommendation that an additional institution is needed shall require the favorable vote of at least two-thirds of the members of the Board. But a recommendation of the Board shall not be considered a condition to the introduction or passage of any proposed statute.

(Texas)

To achieve excellence in the teaching of students at institutions and agencies of higher eduation, the Board shall:

1. Develop and recommend (a) minimum faculty compensation plans, basic increment programs and incentive salary increases; (b) minimum standards for faculty appointment, advancement, promotion and retirement; (c) general policies for faculty teaching loads, and division of faculty time between teaching, research, administrative duties and special assignments; and faculty improvement programs, including a plan for sabbatical leaves, appropriate for the junior and senior colleges and universities, respectively.

2. Develop and recommend minimum standards for academic freedom, academic responsibility and tenure.

3. Pursue vigorously and continuously a goal of having all college and university academic classes taught by persons holding the minimum of an earned master's degree or its equivalent in academic training, creative work, or professional accomplishment.

4. Explore, promote and coordinate the use of educational television among institutions of higher education and encourage participation of public and private schools and private institutions of higher education in educational television.

5. Conduct, and encourage the institutions of higher education to conduct research into new methods, materials and techniques for improving the quality of instruction and for the maximum

(Texas)

utilization of all available teaching techniques, devices, and resources, including but not limited to, large class team teaching, programmed instruction, inter-library exchanges, joint libraries, specifically designed facilities, visual aids and such other innovations as may offer promise for superior teaching or for meeting the need for new faculty members to teach anticipated larger numbers of students.

6. Assume initiative and leadership in providing through the institutions of higher education in the state those programs and offerings which will achieve the objectives set forth in this act.

To assume the efficient use of construction funds and the orderly development of physical plants to accommodate projected college student enrollments, the Board shall:

1. Determine formulas for space utilization in all educational and general buildings and facilities at institutions of higher education.

2. Devise and promulgate methods to assure maximum daily and year-round use of educational and general buildings and facilities including but not limited to maximum scheduling of day and night classes and maximum summer school enrollment.

3. Consider plans for selective standards of admission when institutions of higher education approach capacity enrollment.

4. Require, and assist the public senior colleges and universities, medical and dental units and other agencies of higher education in developing long range plans for campus development.

(Texas)

5. Endorse or delay until the next succeeding session of the legislature shall have opportunity to approve or disapprove the proposed purchase of any real property by an institution of higher education, except public junior colleges.

6. Develop and publish standards, rules and regulations to guide the institutions and agencies of higher education in making application for the approval of new construction and major repair and rehabilitation of educational and general buildings and facilities.

7. Approve or disapprove all new construction, and repair and rehabilitation of educational and general buildings and facilities at institutions financed from any source other than ad valorem tax receipts of the public junior colleges; provided (1) that the Board's consideration and determination shall be limited to the purpose for which such new or remodeled buildings shall be used and its gross dimensions to assure conformity with approved space utilization standards and the institution's approved programs and role and scope, (2) that such approval for new construction financed from other than appropriated funds shall be limited to projects the total cost of which is in excess of $100,000 and that (3) such approval for major repair and rehabilitation of buildings and facilities shall be limited to projects the total cost of which is in excess of $25,000; and provided further that such required approval or disapproval of

the Board shall not apply to construction, repair or rehabilitation involving the use of constitutional funds.

To finance a system of higher education and to secure an equitable distribution of state funds deemed to be available for the several institutions, the Board shall:

1. Devise and periodically review formulas for the use of the governor, the legislature, and the budget board in making appropriation recommendations to the legislature. The Board shall notify the chief administrative officers of each state-supported institution of the formula to be used in making the forthcoming appropriations. The Board shall also certify to the governor, the legislature, and the budget board, after reviewing the budget requests of each institution that the approved formulae have been used in making the requests.

2. Recommend to the governor and the legislative budget board, supplemental appropriations to provide for increases in enrollment in the institutions of higher education.These appropriations may be made directly to the institutions or to the Board, as the legislature may direct. In the event the appropriation is made to the Board the funds shall be allocated and distributed to the institution as the Board determines, subject only to the limitations and conditions prescribed by the legislature.

3. Recommend to the governor and the legislative budget

board, tuition, and fee policies for the junior colleges, the senior colleges, the university and all other agencies of higher education receiving state support funds.

4. Distribute such funds as are appropriated to the Board for allocation for specified purposes provided that no distribution or allocation shall be made to any institution of higher education which has failed or refused to comply with any order of the Board.

5. Make continuing studies on its own initiative as well as upon the request of the governor or legislative budget board of the financial needs of public higher education, and all services and activities of the institution, and to issue such reports as may result from its studies.

The Board shall exercise under acts of the legislature, control of all junior colleges of the state, all authority not vested in the Board shall be retained locally in each respective junior college.

The Board shall have responsibility for adopting policies and enacting regulations, establishing general rules necessary for carrying out its responsibilities with respect to the junior colleges.

The Board shall enlist the cooperation of colleges and universities in developing a statewide plan for the orderly growth of the Texas system of higher education.

(Texas)

The Board shall prescribe a uniform system of reporting for institutions of higher education including definitions of the elements of cost, upon the basis of which appropriations shall be made and financial reports that shall be maintained.

The Board shall make such studies and recommendations directed toward the achievement of excellence as will improve effectiveness or efficiency in any phase of higher education in the state.

The Board shall make annual reports to the governor and to the legislature.

Utah State Board of Higher Education

The State Board is composed of fifteen members appointed by the governor with senate consent. No more than eight members may, at one time, be from one political party. Appointees to the board shall provide geographical representation. Board members serve terms of six years.

The State Board of Higher Education is vested with the control, management, and supervision of the institutions of higher education, except the two Utah technical colleges which are responsible to the Utah State Board for Vocational Education.

The Commissioner of Higher Education, appointed by the Board, is the chief executive officer of the Board, responsible to the Board for the execution of Board policies; the provision of information about the state system of higher education, making recommendations thereon; the provision of state level leadership to the state system;and the performance of other duties as assigned.

The Board shall maintain an up-to-date master plan including, but not limited to:

1. Statewide planning of public higher education in terms of aims, purposes and objectives of the system as a whole.

2. Establishing and defining the role and programs of each institution within the system.

3. Establishing criteria for, and determination of the future needs and requirements for new programs and new institutions and/or the elimination, curtailment, or consolidation of existing programs and facilities.

(Utah)

4. Providing for the initiation and financing of such projects as are deemed necessary to meet and satisfy the projected patterns of growth and maintenance.

5. Establishing criteria for and determination of the operating and capital budgetary needs of each institution and the system as a whole.

6. Recommending the methods and sources of future financial support of the higher education system.

7. Establishing procedures for the development of maximum utilization of existing facilities as suggested by space utilization studies conducted by the state building board.

8. Securing an adequate and coordinated program for the junior colleges and the vocational, technical and para-professional institutions and departments in the state system of higher education.

The board shall prescribe for all institutions under its jurisdiction, standardized systems of accounts, records and reports covering in sufficient detail the operations of the educational institutions under its control.

Institutional operating budget requests are submitted to the Board ninety days prior to the convening of the legislature. After study and review by the Board, the approved requests are submitted to the governor and the legislature thirty days prior to the opening of the session.

The Board establishes, and periodically reviews, formulas for its use and that of the governor and the legislature in making appropriation requests to the legislature.

(Utah)

Legislative appropriations are made to each institution and each institution handles its own financial affairs under the general supervision of the Board.

Except as institutional roles are specifically assigned by the legislature, the Board establishes and defines the roles of various institutions under its control. Each institution may make curriculum changes with Board approval. The Board makes periodic reviews of all programs, and may require the modification or termination of any program after providing adequate hearing opportunity to the institution. No institution may award any degrees without having first secured Board approval.

The Board, after consultation with the Institutional Council, employs the president for each institution. The president, with Board approval, has the authority to appoint the faculty, administrative and supporting staff of the institution, and exercises such authority as designated by the Board.

Each institution of higher education is served by an Institutional Council, authorized to act in behalf of the institution in the performance of such duties and responsibilities as are delegated by the State Board.

The Institutional Council is composed of eight persons appointed by the governor with the consent of the senate, for four-year terms, plus the president of the institution's alumni association.

The State Board is the state educational agency in negotiating and contracting with the Federal government.

(Utah)

The State Board seeks the cooperation of all private denominational and other post-high school educational institutions.

The Board makes an annual report to the governor and the legislature.

Vermont Higher Education Council

The Vermont Higher Education Council consists of the Presidents of all Vermont colleges and universities, public and private.

The primary function, as described by the legislature, is to assist and work with the State Board of Education and the Commissioner of Education in the establishment and application of regulations for certification of institutions of higher education.

State Council of Higher Education for Virginia

The State Council of Higher Education for Virginia is composed of eleven members appointed by the governor and confirmed by the general assembly for four-year terms. No officer, employee, trustee or member of the governing board of any institution of higher education, no employee of the Commonwealth, member of the general assembly, or member of the State Board of Education is eligible.

After serving two terms of four years, a Council member is eligible for reappointment after a lapse of two years.

The Council employs such personnel as deemed necessary for the performance of its functions.

The Council serves as the coordinating board for all state-supported institutions.

The Council, with the aid of the boards and officers of the several institutions, prepares plans under which the state-supported institutions constitute a coordinated system. Such plans indicate the responsibility of each institution for developing educational programs. It may limit any institution, with the approval of the governor, to such curriculum offerings conforming to the Council plans.

The Council studies the operations of each institution and insofar as practical, shall preserve the individuality, traditions, and sense of responsibility of each institution.

The Council studies all questions requiring statewide pol-

icies in higher education and makes recommendations to the governor, the general assembly, and to the institution. The views and advice of the governing boards and officers of each institution shall be sought in the development of these policies.

The Council cooperates with the State Board of Education in matters of interest to both the institution and the public schools, with particular reference to college admissions and teacher-training programs.

Each institution submits its budget request to the Council for both operations and capital outlay. The Council coordinates the budget request of all institutions identifying the request and the proposed budget for each institution and submits these to the governor.

Each institution may appear at any time before the governor or the general assembly or any committee without Council approval.

The Council coordinates all off-campus extension and public service offerings of all state-supported institutions including both credit and non-credit activities. The Council has established an extension and public service advisory committee to aid in the development of a rational pattern for such services. The Council, with the aid of this advisory committee, establishes guidelines for the establishment of any new off-campus branch, division, or center.

The Council is the planning and coordinating agency for all post-secondary educational programs for all health professions.

(Virginia)

No state institution may establish an additional branch, division, or extension center without referral to the Council for information and recommendation, and without specific approval by the general assembly of the location and type of such agency.

No additional state-supported institution limited to either two-year or four-year programs, may be changed to higher degree levels until the Council has determined the need for such change and made recommendation to the governor and the general assembly thereon.

The Council undertakes studies in all aspects of higher education as required by the governor or general assembly; seeking cooperation and assistance of existing state departments in such studies.

The powers of the governing boards of each institution are not impaired except as this legislation confers such powers upon the Council.

No institution shall, after 1968, confer degrees of any kind until the institution and degrees have been approved by the Council.

Washington Council on Higher Education

The Council on Higher Education may perform any of the following functions:

1. Engage in overall planning for higher education in the state, which includes the collection and analysis of necessary data from public, and private institutions of higher education. The purpose shall be to:

a. Assess and define the educational needs of the state to be served by higher education;

b. Recommend and coordinate studies to ascertain how defined educational needs are being met;

c. Study and make recommendations concerning adult education, continuing education and public service programs;

d. Identify priorities among the defined needs and specify the resources necessary to meet them;

e. Differentiate roles of the community college system and the individual public institutions and identify the most effective division of responsibility among them. Review and recommend the creation of all new degrees and recommend which institutions shall award them; evaluate proposals for the elimination of existing degrees. Identify changing conditions which may require the revision of these roles and division of responsibility of the institutions.

2. In the execution of the above planning responsibilities, develop criteria for the need for new baccalaureate institutions;

and recommend the establishment, location and role of any new public baccalaureate granting institutions; review the plans for the community college system in terms of their articulation with planning for higher education in the state.

3. Study levels of fees and charges to students and make recommendations to institutions, legislature, and governor.

4. Study and make recommendations concerning admission and transfer policies.

5. Review individual institutional operating budget requests to determine the conformity to the state's higher education plan: PROVIDED, That its review of community colleges be limited to the plan prepared by the state board for community college education.

6. Review the individual institutional capital budget requests to determine their conformity to the state's higher education plan: PROVIDED: That its review of community colleges be limited to the plan prepared by the state board for community college education.

7. Study and make recommendations for the development of improved practices of administrative management in order to facilitate the most efficient operation of the public institutions and the avoidance of unnecessary duplication among the institutions.

8. At the request of the governor, legislature, state board for community college education, or baccalaureate granting institutions of higher education, and in conjunction with such legislative

(Washington)

interim committee on higher education as may be in existence, study and make recommendations regarding legislation affecting higher education.

The Council is composed of twenty-four members; nine citizen members are appointed by the governor and confirmed by the senate for six-year terms; plus two from the house of representatives and two from the senate to serve two-year terms; two members of the governor's staff, who serve at the governor's pleasure; the president of each state-supported four-year institution of higher education; the executive director of the state board for community colleges education; two presidents of private colleges or universities and one community college president appointed by the governor. Only the nine citizen members may vote, the other members have voice only.

The chairman of the Council is a citizen member elected by the citizen members.

The executive coordinator of services serves as executive officer of the Council.

The Council meets at least four times annually and from time to time shall make reports to the governor and the joint committee on higher education.

The Council is not authorized to detract from the powers and duties of the separate governing boards of the state-supported institutions, the state board for community college education, or of any other state-administered agency.

West Virginia Board of Regents

The West Virginia Board of Regents has general determination, control, supervision, and management of the financial, business, and educational policies and affairs of all state colleges and universities. The Regents are responsible, without limitation, for making studies and recommendations respecting higher education in West Virginia; allocating specific functions and responsibilities among the state colleges and universities; submitting budget requests for the state colleges and universities, and allocating among them appropriations for the state colleges and universities. The Regents act as the state agent in relationship to federal or private grants for higher education, to be administered by "the appropriate state agency."

The Board of Regents is composed of ten members, one of whom, the state superintendent of schools, is not entitled to vote; with nine appointed by the governor with the advice and consent of the senate, for overlapping terms of six years. No person is eligible for appointment who is an officer, employee, or member of an advisory board of any state college or university, or an officer or member of any political party executive committee, or the holder of any other public office or public employment under the federal or state government or any political subdivision, or an appointee or employee of the Board. Of the nine members appointed by the governor not more than five may belong to the same political party. One member of the Board, at least, shall be appointed from each congressional district.

(West Virginia)

Vacancies are filled by the governor, with the advice and consent of the senate for the unexpired term of the vacating member.

Appointees to the Board who have served all or part of two consecutive terms are ineligible for reappointment for a period of three years immediately following the second of the two consecutive terms.

Members of the Board may be removed from office by the governor only in the manner prescribed by law for the removal of the governor and elected state officers.

The Board meets at least six times during each fiscal year.

The Board employs a chancellor and such other employees as needed in the performance of its duties and responsibilities. All employees serve at the pleasure of the Board.

The Board delegates, as it sees fit, with prescribed standards and limitations, any part of its power and control of the business affairs of a state college or university to the president of the institution in order to allow the institution to function in a proper and expeditious manner. Such delegation may be rescinded by the Board, in whole or in part, at any time.

The president of each state college or university recommends to the Regents persons for appointment to the advisory board of his institution, which board consists of seven members.

The Regents appoint the members of each institutional advisory board from the nominees for terms of seven years. Advisory board members are eligible for reappointment.

Wisconsin Coordinating Council for Higher Education

The Coordinating Council consists of seventeen members: one from the Regents of the University of Wisconsin, one from the Regents of the State Universities, one from the State Board of Vocational, Technical and Adult Education, the president of the Board of Regents of the University of Wisconsin, the president of the Board of Regents of the State Universities, the president of the State Board of Vocational, Technical and Adult Education, the state superintendent of public instruction, one member of the County Teachers College Board, appointed annually by the governor from recommendations made by the Association of County Teachers College Board, and nine citizens appointed by the governor with the advise and consent of the senate for eight-year terms.

The Council shall appoint outside the classified service, and fix the salary of a full-time executive director who shall have a recognized and demonstrated interest in and knowledge of public higher education. The executive director shall employ, with Council approval, such professional staff and clerical staff as is necessary. If the executive director or any professional staff are appointed from faculty or staff or any of the higher education institutions under its jurisdiction, such appointee will be granted a leave of absence from said institution and his tenure shall not be affected.

The Council shall determine what overall educational programs shall be offered in the several units of the University of Wisconsin, the state universities, the collegiate transfer and

(Wisconsin)

technical education programs of the schools of vocational, technical and adult education, and county teachers colleges to avoid unnecessary duplication and to utilize to the best advantage the facilities and personnel available for instruction in the fields of higher education.

No new educational programs shall be developed or instituted at any institution of higher education except with the Council's approval. The Coordinating Council may direct the discontinuance of existing educational programs as it deems necessary to conform to state planning efforts and to assure the best utilization of facilties and personnel.

The Council shall adopt a coordinated plan for the integration and most efficient use of the existing facilities and personnel, and an order of priority for the construction of new facilities, including dormitory and all other self-amortizing construction, at the University of Wisconsin and the state universities, including extension centers and branch campuses.

The Council shall review the separate budget requests of the university and the state universities, and the State Board of Vocational,Technical and Adult Education, for state aid to vocational, technical and adult schools in support of post high school collegiate transfer, and technical education programs and shall recommend a single,consolidated,biennial budget request to the governor for the support of all institutions of higher education under its jurisdiction, retaining the identity of the appropriation request related to said institutions. It shall also

review and make appropriate recommendations to the department concerning the budget requests of the department of public instruction for state aids to county teachers colleges.

Annually the Council shall issue a report of its findings and recommendations and deliver these reports to the Board of Regents of the University of Wisconsin, the Board of Regents of the State Universities, the boards of the several county teachers colleges, the State Board of Vocational, Technical and Adult Education, the governor, both houses of the legislature, when in session, or the executive secretary of the legislative council when the legislature is not in session.

The Council has final authority in determining the biennial budget requests of the University of Wisconsin and the state universities and that portion of the budget request of the State Board of Vocational, Technical and Adult Education (described in second paragraph above) to be presented to the Governor and has full responsibility for such presentation.

Except as expressly provided by the legislature, there should be no deprivation of any of the duties and powers of the boards of regents of the University of Wisconsin, state universities, the board of vocational, technical and adult education and boards of the county teachers colleges conferred upon them by law in the government of the institutions under their control.

The Coordinating Council may, with appropriate legislative approvals, enter into inter-state agreements which include remission of nonresident tuition for designated categories of students with appropriate state institutions of higher education

in other states to facilitate the utilization of public higher educational institutions of this state and other states.

At such time as the governor directs, the Marquette School of Medicine, Inc., shall submit its budget request to him, and a copy thereof to the Coordinating Council for Higher Education. The Coordinating Council shall conduct a program analysis for those programs of the school which are supported in part by these state funds and include an advisory report on its findings and recommendations.

Wyoming Higher Education Council

The Wyoming Higher Education Council consists of the president of the University of Wyoming, the state superintendent of public instruction, and five members appointed by the governor: one from the Community College Commission, one from the Board of Trustees of the University of Wyoming, and three at large, for a term of five years.

The Council employs an executive secretary and such staff as necessary to perform the duties assigned.

Powers and Duties of the Council:

1. The Council is the state agency authorized to act for the state for the purpose of participating in the grant program under Title I of the Higher Education Facilities Act of 1963 of the Congress of the United States of America (Public Law 88-204), and Title VI-A of the Higher Education Act of 1965 of the Congress of the United States of America (Public Law 89-329), and, as designated by the governor, any other grants or benefits extended by federal acts which are hereafter designated by Congress to be administered by a single state agency for the benefit of higher education.

a. The Council is authorized to prepare and submit to the appropriate federal officials or agencies, a state plan for participation in the grant programs and to administer said plan and otherwise to do all things and acts of every nature which are necessary or desirable to meet and comply with all require-

(Wyoming)

ments of the federal acts and departments and agencies charged with their administration.

b. The Council administers all state plans as may be approved and seeks to obtain and utilize all grants, funds and benefits which the state is entitled to under federal acts.

c. Any and all funds which may be made available for the benefit of the state under federal acts may be received by the Council and deposited to its account with the state treasurer and paid therefrom in accordance with warrants drawn by the Council's designated officer, or the Council may authorize the payment of funds by the United States directly to such institution or entity as the Council may determine to be eligible for receipt therefrom in accordance with any plan approved by it, provided that all such direct payments be fully accounted for and be subject to audit by the state auditor and any other agency required by applicable federal acts or regulations.

2. The Council shall:

a. Establish and maintain records and data re higher education facilities and programs in Wyoming.

b. Continuously analyze all areas of higher education with the objective of coordinating and increasing the effectiveness of state-supported higher education.

c. Develop plans for the orderly growth of higher education, including the location of new facilities and programs.

d. Assist the institutions of higher education in carrying out their responsibilities under federal aid programs.

(Wyoming)

e. Act as an advisory board to the governor of the State of Wyoming, the Wyoming community college commission, the board of trustees of the University of Wyoming, and the legislature of the state in the furtherance of the overall goals and objectives of higher education.

Nothing in the act establishing the Higher Education Council of Wyoming is to be construed as granting to the Council any apparent or inherent powers, except those of an advisory or administrative nature, or as limiting or affecting the powers and duties expressed in existing statutes pertaining to the Wyoming community college commission, governing boards of the community colleges and the University of Wyoming, or the state department of education.

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